

HERRICK, FEINSTEIN, LLP  
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New York, New York 10016  
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Sean E. O'Donnell  
Stephen B. Selbst  
Steven B. Smith  
Christopher Carty

*Special Conflicts Counsel to the Official Committee of  
Unsecured Creditors of Sears Holdings Corporation, et al.*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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	x
In re:	: Chapter 11
	: .
SEARS HOLDINGS CORPORATION, et al.,	: Case No. 18-23538 (RDD)
	: .
Debtors <sup>1</sup>	: (Jointly Administered)
	: .
	: .

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**TENTH MONTHLY FEE STATEMENT OF HERRICK, FEINSTEIN LLP  
FOR PROFESSIONAL SERVICES RENDERED AND DISBURSEMENTS INCURRED  
AS SPECIAL CONFLICTS COUNSEL TO THE OFFICIAL COMMITTEE OF  
UNSECURED CREDITORS FOR THE PERIOD OF  
AUGUST 1, 2020 THROUGH SEPTEMBER 30, 2020**

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<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are as follows: Sears Holdings Corporation (0798); Kmart Holding Corporation (3116); Kmart Operations LLC (6546); Sears Operations LLC (4331); Sears, Roebuck and Co. (0680); ServiceLive Inc. (6774); A&E Factory Service, LLC (6695); A&E Home Delivery, LLC (0205); A&E Lawn & Garden, LLC (5028); A&E Signature Service, LLC (0204); FBA Holdings Inc. (6537); Innovel Solutions, Inc. (7180); Kmart Corporation (9500); MaxServ, Inc. (7626); Private Brands, Ltd. (4022); Sears Development Co. (6028); Sears Holdings Management Corporation (2148); Sears Home & Business Franchises, Inc. (6742); Sears Home Improvement Products, Inc. (8591); Sears Insurance Services, L.L.C. (7182); Sears Procurement Services, Inc. (2859); Sears Protection Company (1250); Sears Protection Company (PR) Inc. (4861); Sears Roebuck Acceptance Corp. (0535); Sears, Roebuck de Puerto Rico, Inc. (3626); SYW Relay LLC (1870); Wally Labs LLC (None); Big Beaver of Florida Development, LLC (None); California Builder Appliances, Inc. (6327); Florida Builder Appliances, Inc. (9133); KBL Holding Inc. (1295); KLC, Inc. (0839); Kmart of Michigan, Inc. (1696); Kmart of Washington LLC (8898); Kmart Stores of Illinois LLC (8897); Kmart Stores of Texas LLC (8915); MyGofer LLC (5531); Sears Brands Business Unit Corporation (4658); Sears Holdings Publishing Company, LLC. (5554); Sears Protection Company (Florida), L.L.C. (4239); SHC Desert Springs, LLC (None); SOE, Inc. (9616); StarWest, LLC (5379); STI Merchandising, Inc. (0188); Troy Coolidge No. 13, LLC (None); BlueLight.com, Inc. (7034); Sears Brands, L.L.C. (4664); Sears Buying Services, Inc. (6533); Kmart.com LLC (9022); SHC Licensed Business LLC (3718); SHC Promotions LLC (9626); Sears Brands Management Corporation (5365); and SRE Holding Corporation (4816). The location of the Debtors' corporate headquarters is 3333 Beverly Road, Hoffman Estates, Illinois 60179

Name of Applicant:	Herrick, Feinstein LLP
Authorized to Provide Professional Services To:	Special Conflicts Counsel to the Official Committee of Unsecured Creditors of Sears Holdings Corporation, <i>et al.</i>
Date of Retention:	March 22, 2019 <i>nunc pro tunc</i> to January 2, 2019
Period for Which Compensation and Reimbursement Is Sought:	August 1, 2020 through September 30, 2020
Fees Incurred:	\$453,569.50
20% Holdback:	\$90,713.90
Total Compensation Less 20% Holdback:	\$362,855.60
Expenses Incurred:	\$156,337.46
<b>Total Fees and Expenses Requested:</b>	<b>\$519,193.06</b>

This is a x monthly \_\_\_ interim \_\_\_ final application

Herrick Feinstein LLP (“Herrick Feinstein”), special conflicts counsel to the Official Committee of Unsecured Creditors (the “Creditors’ Committee”) of Sears Holding Corporation and its affiliated debtors and debtors in possession (collectively, the “Debtors”), hereby respectfully submits this statement of fees and disbursements (the “Tenth Combined Monthly Fee Statement”) covering the period from August 1, 2020 through September 30, 2020 (the “Compensation Period”) in accordance with the *Order Authorizing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals* (the “Interim Compensation Order”) [ECF No. 796]. By the Tenth Combined Monthly Fee Statement, and after taking into account certain voluntary discounts and reductions, Herrick Feinstein requests (a) interim allowance and payment of compensation in the amount of \$362,855.60 (80% of \$453,569.50) for fees on account of reasonable and necessary professional services rendered to the Creditors’ Committee by Herrick Feinstein, and (b) reimbursement of actual and necessary costs and

expenses in the amount of \$156,337.46 incurred by Herrick Feinstein during the Compensation Period.

**FEES FOR SERVICES RENDERED  
DURING THE COMPENSATION PERIOD**

**Exhibit A** sets forth a timekeeper summary that includes the respective names, positions, department, bar admissions, hourly billing rates and aggregate hours spent by each Herrick Feinstein professional and paraprofessional that provided services to the Creditors' Committee during the Compensation Period. The rates charged by Herrick Feinstein for services rendered to the Creditors' Committee are the same rates that Herrick Feinstein charges generally for professional services rendered to its non-bankruptcy clients.

**Exhibit B** sets forth a task code summary that includes the aggregate hours per task code spent by Herrick Feinstein professionals and paraprofessionals in rendering services to the Creditors' Committee during the Compensation Period.

**Exhibit C** sets forth a complete itemization of tasks performed by Herrick Feinstein professional and paraprofessionals that provided services to the Creditors' Committee during the Compensation Period.

**EXPENSES INCURRED  
DURING THE COMPENSATION PERIOD**

**Exhibit D** sets for a disbursement summary that includes the aggregate expenses, organized by general disbursement categories, incurred by Herrick Feinstein in connection with services rendered to the Creditors' Committee during the Compensation Period.

**Exhibit E** sets forth a complete itemization of disbursements incurred by Herrick Feinstein in connection with services rendered to the Creditors' Committee during the Compensation Period.

## **NOTICE AND OBJECTION PROCEDURES**

Notice of this Tenth Combined Monthly Fee Statement shall be given by hand or overnight delivery or email where available upon (i) Sears Holdings Corporation, 3333 Beverly Road, Hoffman Estates, Illinois 60179, Attention: Mohsin Y. Meghji ([email: mmeghji@miiipartners.com](mailto:mmeghji@miiipartners.com)); (ii) counsel to the Debtors, Weil, Gotshal & Manges LLP, 767 Eighth Avenue, New York, NY 10153, Attention: Ray C. Schrock ([email: ray.schrock@weil.com](mailto:ray.schrock@weil.com)), Jacqueline Marcus ([email:jacqueline.marcus@weil.com](mailto:jacqueline.marcus@weil.com)), Garrett A. Fail ([email: garrett.lail@weil.com](mailto:garrett.lail@weil.com)), and Sunny Singh ([email: sunny.singh@weil.com](mailto:sunny.singh@weil.com)); (iii) William K. Harrington, the United States Trustee, U.S. Federal Office Building, 201 Varick Street, Suite 1006, New York, NY 10014, Attention: Paul Schwartzberg ([e-mail: paul.schwartzberg@usdoj.gov](mailto:paul.schwartzberg@usdoj.gov)) and Richard Morrissey ([e-mail: richard.morrissey@usdoj.gov](mailto:richard.morrissey@usdoj.gov)); (iv) counsel to Bank of America, N.A., Skadden, Arps, Slate, Meagher & Flom LLP, 4 Times Square, New York, NY 10036, Attention: Paul D. Leake ([email:paul.leake@skadden.com](mailto:paul.leake@skadden.com)), Shana A. Elberg ([email:shana.elberg@skadden.com](mailto:shana.elberg@skadden.com)) and George R. Howard ([email: george.howard@skadden.com](mailto:george.howard@skadden.com)); (v) Paul E. Harner, fee examiner, 1675 Broadway, New York, NY 10019 ([e-mail: harnerp@ballardspahr.com](mailto:harnerp@ballardspahr.com)); (vi) counsel to the fee examiner, Ballard Spahr LLP, 1675 Broadway, New York, NY 10019, Attention: Vincent J. Marriott ([e-mail: marriott@ballardspahr.com](mailto:marriott@ballardspahr.com)) and Tobey M. Daluz ([e-mail: dalurt@ballardspahr.com](mailto:dalurt@ballardspahr.com)); and (vi) counsel to the Official Committee of Unsecured Creditors, Akin Gump Strauss Hauer & Feld LLP, One Bryant Park, New York, NY 10036, Attention: Philip C. Dublin (email: [pdublin@akingump.com](mailto:pdublin@akingump.com)), Ira S. Dizengoff (email: [idizengoff@akingump.com](mailto:idizengoff@akingump.com)) and Sara Lynne Brauner (email: [sbrauner@akingump.com](mailto:sbrauner@akingump.com)), (collectively, the “Notice Parties”).

Objections to this Tenth Combined Monthly Fee Statement, if any, must be filed with the Court and served upon the Notice Parties so as to be received no later than **November 13, 2020**

(the “Objection Deadline”), setting forth the nature of the objection and the amount of fees or expenses at issue (an “Objection”).

If no objections to this Tenth Combined Monthly Fee Statement are filed and served as set forth above, the Debtors shall promptly pay eighty percent (80%) of the fees and one hundred percent (100%) of the expenses identified herein.

If an objection to this Tenth Combined Monthly Fee Statement is received on or before the Objection Deadline, the Debtors shall withhold payment of that portion of this Tenth Combined Monthly Fee Statement to which the objection is directed and promptly pay the remainder of the fees and disbursements in the percentages set forth above. To the extent such an objection is not resolved, it shall be preserved and scheduled for consideration at the next interim fee application hearing to be heard by the Court.

*[Remainder of page left blank intentionally]*

Dated: New York, New York  
October 30, 2020

HERRICK FEINSTEIN LLP

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*Special Conflicts Counsel to the Official  
Committee of Unsecured Creditors of Sears  
Holdings Corporation, et al.*

**Exhibit A**

**Timekeeper Summary**

PARTNERS	DEPARTMENT	YEAR OF BAR ADMISSION	RATE	HOURS	AMOUNT
Sean E. O'Donnell	Restructuring & Finance Litigation	1998	\$1025.00	57.9	\$59,347.50
Stephen Selbst	Restructuring & Finance Litigation	1984	\$1000.00	1.7	\$1,700.00
Steven Smith	Restructuring & Finance Litigation	2001	\$765.00	.7	\$535.50
Christopher W. Carty	Restructuring & Finance Litigation	2010	\$785.00	160.80	\$126,228.00
Jason D'Angelo	Restructuring & Finance Litigation	1998	\$845.00	2.6	\$2,197.00
<b>Total Partners</b>				<b>223.7</b>	<b>\$190,008.00</b>
COUNSEL	DEPARTMENT	YEAR OF BAR ADMISSION	RATE	HOURS	AMOUNT
Kyle J. Kolb	Restructuring & Finance Litigation	2012	\$610.00	148.7	\$90,707.00
<b>Total Counsel</b>				<b>148.7</b>	<b>\$90,707.00</b>
ASSOCIATES	DEPARTMENT	YEAR OF BAR ADMISSION	RATE	HOURS	AMOUNT
Heather M. Zimmer	Restructuring & Finance Litigation	2017	\$435.00	86.8	\$37,758.00
Gabrielle R. Fromer	Restructuring & Finance Litigation	2018	\$420.00	52.8	\$22,176.00
Elizabeth J. Plowman	Restructuring & Finance Litigation	2018	\$420.00	77.4	\$32,508.00

Silvia Stockman	Restructuring & Finance Litigation	2016	\$435.00	8.8	\$3,828.00
Daniel Field	Restructuring & Finance Litigation	2016	\$435.00	18.6	\$8,091.00
Rodger Quigley	Restructuring & Finance Litigation	2017	\$420.00	42.0	\$17,640.00
Michael Calb	Restructuring & Finance Litigation	2013	\$540.00	28.40	\$15,336.00
Conor Anderson	Restructuring & Finance Litigation	2017	\$415.00	35.1	\$14,566.00
<b>Total Associates</b>				<b>349.9</b>	<b>\$151,903.00</b>

PARALEGALS/ NON-LEGAL STAFF	DEPARTMENT	RATE	HOURS	AMOUNT
Linda Schepp	Restructuring & Finance Litigation	\$335.00	40.4	\$13,534.00
Larisa Poretsky	Litigation	\$390.00	15.3	\$5,967.00
Allison Grillo	Research	\$250.00	1.5	\$375.00
Nathan Rosen	Research	\$320.00	1.0	\$320.00
<b>Total Paralegals/ Non-Legal Staff</b>			<b>58.2</b>	<b>\$20,196.00</b>

**ADDITIONAL LEGAL SERVICES**

<b>MANAGING ATTORNEY'S OFFICE</b>	<b>Amount</b>
Electronic/Paper Filing	\$82.00
Procedural Advice – Federal, NY & NJ	\$82.00
Court Admissions/Renewal Registrations	\$164.00
Research/Retrieval – Calls to Courts	\$123.00
<b>E-DISCOVERY AND LITIGATION SUPPORT SERVICES</b>	
Project Management	\$304.00
<b>TOTAL</b>	<b>\$755.00</b>

**EXHIBIT B**

**Task Code Summary**

<b>Task Code</b>	<b>HOURS</b>	<b>AMOUNT (\$)</b>
Fee/Employment Applications - B160	27.90	\$14,772.00
Other Contested Matters – B190	174.00	\$111,117.00
General Bankruptcy Advice/Opinions – B410	1.9	826.50
Jointly Asserted Causes of Action	579.80	\$327,680.50
<b>Total</b>	<b>781.7</b>	<b>\$453,569.50</b>

**Exhibit C**

**Itemized Fees**



HERRICK

Official Committee of Unsecured Creditors of Sears Holdings  
Attn: Ron Tucker  
225 W. Washington Street  
Indianapolis, IN 46204

October 22, 2020  
Invoice Number: 538311  
Matter Number: 19609.0001  
Tax ID: 1662

Re: **Sears Bankruptcy**

Fees for legal services rendered through September 30, 2020	\$125,889.00
Expenses posted through September 30, 2020	153,220.04
<b>TOTAL</b>	<b><u>\$279,109.04</u></b>
Unpaid balance from previous invoice(s)	\$199,873.37
Total Due Now	\$478,982.41

Kindly return this page with your check payment to:

Herrick, Feinstein LLP  
2 Park Avenue  
New York, NY 10016

Send wire payments to:

Citibank, N.A.

ABA Number: 0089  
Account Number: 6165  
SWIFT #:

PLEASE REMIT PAYMENT WITHIN 30 DAYS

**HERRICK, FEINSTEIN LLP • Two Park Avenue • New York, NY 10016 • Phone: 212.592.1400 • Fax: 212.592.1500**



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LEGAL SERVICES RENDERED:

<u>DATE</u>	<u>NAME</u>	<u>TASK CODE</u>	<u>NARRATIVE</u>	<u>HOURS</u>
08/03/20	K. Kolb	B190	Emails to expert regarding information requests	0.20
08/04/20	C. Carty	B190	Call with counsel to Cyrus in connection with Rule 2004 investigation and prepare for same.	1.10
08/04/20	C. Carty	B190	Analyze issues related to discovery in Rule 2004 investigation.	0.30
08/04/20	C. Carty	B160	Correspondence re preparation of interim fee application.	0.90
08/04/20	S. O'Donnell	B190	Coordinate 2004 meet and confer; f/up re same.	0.50
08/04/20	K. Kolb	B190	Status call with C. Carty	0.20
08/04/20	K. Kolb	B190	Call with counsel to Cyrus Capital	0.30
08/04/20	K. Kolb	B190	Call with counsel to Barclays	0.10
08/04/20	K. Kolb	B190	Draft emails to expert and opposing counsel	0.30
08/04/20	K. Kolb	B190	Revise outlines for depositions	1.70
08/04/20	G. Fromer	B190	Review comments to revise deposition outline	0.10
08/04/20	G. Fromer	B190	Discuss issues raised in Milbank call with Chris Carty and Kyle Kolb	0.20
08/04/20	G. Fromer	B190	Call with Milbank regarding additional information requests and scheduling deposition	0.20
08/04/20	H. Zimmer	B160	Confer with Chris Carty on fee applications	0.10
08/05/20	C. Carty	B160	Attention to issues related to interim fee application.	1.20
08/05/20	H. Zimmer	B160	Confer with CC, LP, KK regarding fee applications	0.10
08/05/20	L. Poretsky	B160	Requests to billing department information pertinent to second fee application	0.40
08/05/20	L. Poretsky	B160	Obtain Akin's form of the second interim fee application and review.	0.40
08/05/20	L. Poretsky	B160	Begin drafting second fee application	2.40
08/05/20	L. Poretsky	B160	Conference with Chris Carty to discuss details of the second fee application	0.30
08/06/20	C. Carty	B160	Attention to issues related to interim fee application.	0.70
08/06/20	L. Poretsky	B160	Review and analyze information received from billing department (.7); request additional information re received payments and consolidated summary of the matters per timekeeper and bankruptcy codes (.3); conference with billing department to discuss details (.3)	1.30
08/06/20	L. Poretsky	B160	Continue to draft second fee application	1.00
08/07/20	K. Kolb	B160	Initial work on fee application	0.10



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<u>DATE</u>	<u>NAME</u>	<u>TASK CODE</u>	<u>NARRATIVE</u>	<u>HOURS</u>
08/07/20	L. Poretsky	B160	Working with billing department to obtain additional information pertinent to the second fee application	1.00
08/07/20	L. Poretsky	B160	Continue to draft second fee application	3.00
08/10/20	C. Carty	B160	Review and revise draft interim fee application and circulate to committee co-counsel (3.8, 1.3).	5.10
08/10/20	K. Kolb	B160	Revise fee application	0.40
08/10/20	G. Fromer	B160	Draft fee memo application for March 2020 through June 2020 for Rule 2004 Investigation	0.90
08/10/20	H. Zimmer	B160	Confer with CC and KK on fee application	0.10
08/10/20	H. Zimmer	B160	Draft fee application	0.80
08/10/20	L. Poretsky	B160	Continue to draft, revise and update second fee application (3.0); finalize the draft and submit to Chris Carty for review and comments(.4)	3.40
08/11/20	C. Carty	B190	Participate in call with litigation team re status of investigation and prepare for same.	1.20
08/11/20	C. Carty	B160	Confer with co-counsel regarding interim fee application (0.4); revise same (0.5).	0.90
08/11/20	S. O'Donnell	B190	Strategy call w/ team; review/comment on diligence list; coordinate proffers; depo prep.	1.00
08/11/20	K. Kolb	B190	Draft status list of investigation.	0.20
08/11/20	K. Kolb	B190	Call regarding testimony status	0.30
08/11/20	K. Kolb	B190	Draft emails regarding depositions and status update	0.20
08/11/20	G. Fromer	B190	Discuss case status and next steps with Sean O'Donnell, Chris Carty, and Kyle Kolb	0.30
08/11/20	G. Fromer	B190	Revise deposition outline	1.50
08/11/20	G. Fromer	B190	Revise summary of status of depositions and information requests to prepare for internal case update call	0.20
08/11/20	G. Fromer	B190	Draft email to creditors committee regarding case update and deposition strategy	0.50
08/11/20	G. Fromer	B190	Discuss schedule for depositions and case planning and strategy	0.10
08/11/20	H. Zimmer	B160	Review emails from Akin on fee application	0.10
08/11/20	L. Poretsky	B160	Review Chris Carty comments re HF second fee application	0.40
08/12/20	C. Carty	B190	Analyze issues re deposition scheduling in connection with Rule 2004 investigation.	0.50
08/12/20	S. O'Donnell	B190	Coordinate depos; prep for same	0.50
08/12/20	S. Smith	B190	Review Sculptor depo and related email traffic.	0.40
08/12/20	K. Kolb	B190	Analyze holdings data provided by CDS Participant and discuss with expert	0.30



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<u>DATE</u>	<u>NAME</u>	<u>TASK CODE</u>	<u>NARRATIVE</u>	<u>HOURS</u>
08/12/20	G. Fromer	B190	Revise email update to UCC regarding depositions	0.10
08/13/20	K. Kolb	B160	Draft further summary in response to billing inquiry	0.80
08/13/20	G. Fromer	B190	Revise deposition outline	0.20
08/14/20	K. Kolb	B190	Revise email summarizing investigation status	0.50
08/14/20	G. Fromer	B190	Revise case update summary email to UCC	0.20
08/14/20	L. Poretsky	B160	Review, revise and finalize Second HF Fee Application and exhibits (.8); prepare same for filing and e-file (.4); submit e-mail to Prime clerk re service of the Second Fee Application(.3); circulate filed Second Fee Application to the team (.2)	1.70
08/17/20	K. Kolb	B190	Analyze data from counsel and list of questions from expert	0.50
08/17/20	G. Fromer	B190	Schedule call with experts to prepare for depositions	0.10
08/18/20	C. Carty	B190	Call with CMRA re Barclays data and scheduling (0.6); prepare for depositions (1.5).	2.10
08/18/20	K. Kolb	B190	Further call with expert	0.20
08/18/20	K. Kolb	B190	Revise update email regarding investigation status	0.30
08/18/20	K. Kolb	B190	Emails to opposing counsel regarding scheduling and data provided	0.20
08/18/20	K. Kolb	B190	Call with consultants regarding depositions and related data issues	0.70
08/18/20	G. Fromer	B190	Discuss newly provided information with experts in preparation for depositions	0.60
08/18/20	G. Fromer	B190	Discuss planning and preparing for depositions with Chris Carty and Kyle Kolb	0.10
08/25/20	K. Kolb	B190	Analyze materials from expert	0.10
08/25/20	K. Kolb	B160	Analyze draft fee application	0.20
08/25/20	G. Fromer	B190	Discuss Cyrus data with expert	0.20
08/25/20	G. Fromer	B190	Send email to Chris Carty and Kyle Kolb about discussion with expert on Cyrus data	0.10
08/26/20	K. Kolb	B190	Revise outlines for interview	1.10
08/26/20	G. Fromer	B190	Discuss preparing for depositions with Kyle Kolb via email	0.20
08/27/20	S. O'Donnell	B190	Coordinate 2004 discovery.	0.20
08/27/20	K. Kolb	B190	Call with opposing counsel	0.10
08/28/20	K. Kolb	B190	Revise email to Committee with update on investigation	0.20
08/30/20	K. Kolb	B190	Further revisions to outlines	3.50
08/31/20	K. Kolb	B190	Further preparation for depositions	0.10
08/31/20	G. Fromer	B190	Review Protective Order in MTN Rule 2004 Investigation to prepare for depositions	0.80
08/31/20	G. Fromer	B190	Discuss planning and preparing for depositions via email	0.10



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<u>DATE</u>	<u>NAME</u>	<u>TASK CODE</u>	<u>NARRATIVE</u>	<u> HOURS</u>
			with Kyle Kolb	
09/01/20	K. Kolb	B190	Revise testimony outline for MTN investigation	4.10
09/01/20	G. Fromer	B190	Review draft and final version of Cyrus-OCO settlement agreement	0.50
09/01/20	G. Fromer	B190	Discuss preparing for depositions with Kyle Kolb via email	0.10
09/01/20	L. Schepp	B190	Update master set of chronology documents, per K. Kolb	1.60
09/02/20	S. Smith	B190	Attention to email traffic re depos and related discussion.	0.30
09/02/20	K. Kolb	B190	Communicate with expert regarding claims analysis	0.30
09/02/20	G. Fromer	B190	Draft email to OZ attorney	0.10
09/02/20	G. Fromer	B190	Email communications with expert regarding deposition prep	0.10
09/02/20	G. Fromer	B190	Discuss preparing for deposition with Kyle Kolb via email	0.10
09/02/20	L. Schepp	B190	Compile and send documents to experts at CMRA, per K. Kolb.	0.80
09/03/20	K. Kolb	B190	Further call with expert team regarding testimony strategy	0.70
09/03/20	K. Kolb	B190	Revise testimony outline further based on expert feedback	1.20
09/03/20	G. Fromer	B190	Review agenda for call with expert	0.10
09/03/20	G. Fromer	B190	Call with expert to prepare for deposition	0.50
09/04/20	C. Carty	B190	Prepare for proffer in Rule 2004 investigation.	1.20
09/08/20	K. Kolb	B190	Analyze recent 363(n) case law	0.40
09/08/20	G. Fromer	B190	Review outline for call with Stroock	0.10
09/09/20	C. Carty	B190	Prepare for proffer in Rule 2004 investigation.	0.80
09/09/20	S. O'Donnell	B190	Attend investigation process.	0.50
09/09/20	K. Kolb	B190	Revise outline	1.00
09/10/20	C. Carty	B190	Prepare for proffer in Rule 2004 investigation.	2.50
09/10/20	C. Carty	B190	Call with Herrick and CMRA teams to prepare for OZ proffer and prepare for same.	1.20
09/10/20	S. O'Donnell	B190	Confer w/ experts re OZ proffer and prep for same.	2.00
09/10/20	K. Kolb	B190	Prepare for and attend prep call with expert	1.80
09/10/20	K. Kolb	B190	Analyze expert disclosure rules	0.20
09/10/20	K. Kolb	B190	Revise testimony outline	1.30
09/10/20	G. Fromer	B190	Call with expert to prepare for call with Stroock	1.00
09/10/20	G. Fromer	B190	Review email communications to prepare for call with Stroock	0.30
09/10/20	G. Fromer	B190	Review article on the ISDA auction process	0.50
09/10/20	G. Fromer	B190	Review outline to prepare for call with Stroock	1.10



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<u>DATE</u>	<u>NAME</u>	<u>TASK CODE</u>	<u>NARRATIVE</u>	<u> HOURS</u>
09/10/20	G. Fromer	B190	Review expert's comments to outline	0.10
09/10/20	G. Fromer	B190	Review Trap Rock Research memo	0.30
09/10/20	G. Fromer	B190	Review timeline of key events	0.80
09/10/20	G. Fromer	B190	Discuss call with expert with Kyle Kolb via email	0.10
09/10/20	G. Fromer	B190	Conduct legal research on FRCP Rule 26	0.50
09/11/20	C. Carty	B190	Review and analyze revised outline for proffer in Rule 2004 investigation.	1.50
09/11/20	K. Kolb	B190	Revise testimony outline	2.30
09/12/20	K. Kolb	B190	Revise testimony outline and analysis memo	0.60
09/14/20	G. Fromer	B190	Draft outline for call with Quinn Emmanuel	3.30
09/14/20	G. Fromer	B190	Communicate with expert via email with regard to preparation for call with counsel for bidders	0.20
09/14/20	G. Fromer	B190	Communicate with expert via email	0.10
09/14/20	G. Fromer	B190	Communicate with expert via email	0.10
09/15/20	C. Carty	B190	Prepare for OZ proffer in connection with Rule 2004 investigation and analyze documents related to same.	4.30
09/15/20	S. O'Donnell	B190	Prep for OZ proffer and confer w/ experts and legal team re same	2.00
09/15/20	K. Kolb	B190	Prepare for testimony and discuss with experts	2.30
09/15/20	K. Kolb	B190	Additional analysis of case law in preparation for testimony	0.30
09/15/20	G. Fromer	B190	Discuss preparation for call with Stroock with experts	0.40
09/15/20	G. Fromer	B190	Review documents produced by OZ, outline for call with Stroock, and Cyrus-OZ settlement agreement to prepare for call with Stroock	1.10
09/16/20	C. Carty	B190	Review and analyze documents in preparation for Rule 2004 proffer.	1.50
09/16/20	C. Carty	B190	Participate in Rule 2004 attorney proffer.	3.00
09/16/20	S. O'Donnell	B190	Prep and conduct OZ proffer	4.00
09/16/20	K. Kolb	B190	Prepare for interview and revise outline	1.00
09/16/20	K. Kolb	B190	Attend call with opposing counsel regarding investigation	3.00
09/16/20	G. Fromer	B190	Discuss Barclays research with Kyle Kolb via email	0.10
09/16/20	G. Fromer	B190	Set up chat with experts for call with Stroock	0.10
09/16/20	G. Fromer	B190	Discuss drafting deposition outline	0.10
09/16/20	G. Fromer	B190	Review Cyrus Data Analysis from Expert	1.80
09/16/20	G. Fromer	B190	Review Sale Motion	0.50
09/16/20	G. Fromer	B190	Review Cyrus Objection to Sale Motion	0.30
09/16/20	G. Fromer	B190	Review Omega Motion to Invalidate Sale Order	1.00
09/16/20	G. Fromer	B190	Review Notice of Hearing for Approval of Sale of MTNs	0.10



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<u>DATE</u>	<u>NAME</u>	<u>TASK CODE</u>	<u>NARRATIVE</u>	<u> HOURS</u>
			to Cyrus	
09/16/20	G. Fromer	B190	Review Note Purchase Agreement between Debtor and Cyrus	0.10
09/16/20	G. Fromer	B190	Review Cyrus Response	0.40
09/16/20	G. Fromer	B190	Review Order denying motion to invalidate sale	0.10
09/16/20	G. Fromer	B190	Discuss internal and expert questions during call with Stroock	0.50
09/16/20	G. Fromer	B190	Call with Stroock	2.00
09/16/20	G. Fromer	B190	Discuss call with Stroock internally	0.30
09/16/20	G. Fromer	B190	Discuss call with Stroock internally via email	0.10
09/16/20	N. Rosen	B190	Research for Kyle Kolb on potential deponent using TLO and Westlaw.	0.50
09/17/20	S. O'Donnell	B190	Confer w/ expert re OZ and depo preparation.	1.00
09/17/20	K. Kolb	B190	Revise testimony outline and analyze related documents	2.50
09/17/20	K. Kolb	B190	Revise interview summary	1.30
09/17/20	G. Fromer	B190	Review Kyle Kolb's revisions to outline for call with Quinn Emanuel	0.20
09/17/20	G. Fromer	B190	Review Quinn Bloomberg TV interview regarding MTNs and update outline for call with Omega	0.70
09/17/20	G. Fromer	B190	Review documents produced by Omega to answer Kyle Kolb's question	0.50
09/17/20	G. Fromer	B190	Review calls produced by Barclays to answer Kyle Kolb's question	0.30
09/17/20	L. Schepp	B190	Create redline of various versions of the settlement agreement	0.60
09/17/20	A. Grillo	B190	Using Dialog, Blaw, Westlaw, TLO, and LinkedIn research potential deponents and delivered results to K. Kolb.	1.50
09/17/20	N. Rosen	B190	Research for Kyle Kolb on potential deponents.	0.50
09/18/20	C. Carty	B190	Prepare for Omega attorney proffer in connection with Rule 2004 investigation and review and analyze documents related thereto.	3.10
09/18/20	S. O'Donnell	B190	Confer w/ expert re seminar and coordinate.	0.50
09/18/20	K. Kolb	B190	Analyze research into deponent	0.30
09/19/20	S. O'Donnell	B190	Prepare for deposition and confer with expert.	0.50
09/21/20	C. Carty	B190	Prepare for Omega attorney proffer in connection with Rule 2004 investigation and review and analyze documents related thereto.	2.50
09/21/20	C. Carty	B190	Call with Herrick and CMRA teams to prepare for Omega attorney proffer in connection with Rule 2004 investigation and prepare for same.	0.50



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<u>DATE</u>	<u>NAME</u>	<u>TASK CODE</u>	<u>NARRATIVE</u>	<u>HOURS</u>
09/21/20	S. O'Donnell	B190	Prep for sears proffer.	1.90
09/21/20	K. Kolb	B190	Revise testimony outline	0.60
09/21/20	K. Kolb	B190	Draft initial order of proof	2.20
09/21/20	K. Kolb	B190	Review additional information from opposing counsel	0.10
09/21/20	K. Kolb	B190	Attend meeting to finalize preparations for testimony	0.40
09/21/20	K. Kolb	B190	Further review of documents produced by CDS Participants in connection with testimony preparation	0.30
09/21/20	G. Fromer	B190	Discuss Omega and OZ data with expert	0.30
09/21/20	G. Fromer	B190	Review documents produced by Barclays and Omega to answer Kyle Kolb's question	0.40
09/22/20	C. Carty	B190	Prepare for Omega attorney proffer in connection with Rule 2004 investigation and review and analyze documents related thereto.	1.50
09/22/20	C. Carty	B190	Participate in Omega attorney proffer in connection with Rule 2004 investigation and confer regarding same.	3.00
09/22/20	K. Kolb	B190	Draft order of proof	0.50
09/22/20	K. Kolb	B190	Additional research regarding conduct of 2004 deposition	0.90
09/22/20	K. Kolb	B190	Attend testimony discussion with opposing counsel	2.60
09/22/20	K. Kolb	B190	Attend to follow-up items from call with opposing counsel	0.40
09/22/20	G. Fromer	B190	Discuss drafting update memorandum to UCC	0.20
09/22/20	G. Fromer	B190	Draft investigation update memorandum to UCC	0.80
09/22/20	G. Fromer	B190	Discuss searching document production with paralegal to find documents for future depositions.	0.10
09/22/20	G. Fromer	B190	Discuss additional questions for Quinn Emanuel with Sean O'Donnell, Chris Carty, Kyle Kolb, and experts	0.10
09/22/20	G. Fromer	B190	Discuss potential claims with Sean O'Donnell, Chris Carty, Kyle Kolb, and experts	0.30
09/22/20	G. Fromer	B190	Discuss case strategy with Sean O'Donnell, Chris Carty, and Kyle Kolb via email	0.10
09/22/20	G. Fromer	B190	Revise executive summary section of potential claims memorandum	0.70
09/22/20	G. Fromer	B190	Call with Jon Pickhardt of Quinn Emanuel	2.20
09/23/20	C. Carty	B190	Call with Herrick and CMRA teams regarding attorney proffers and prepare for same.	0.80
09/23/20	S. O'Donnell	B190	Strategy call w/ expert; prep for same; f/up re same; 10 legal analysis	1.50
09/23/20	K. Kolb	B190	Discuss claims analysis with C. Carty	0.30
09/23/20	K. Kolb	B190	Discuss deposition preparation issue with L. Schepp	0.20
09/23/20	K. Kolb	B190	Additional research and review of case law regarding	1.80



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<u>DATE</u>	<u>NAME</u>	<u>TASK CODE</u>	<u>NARRATIVE</u>	<u> HOURS</u>
			potential claims	
09/23/20	K. Kolb	B190	Summarize legal research into conduct of Rule 2004 examinations	0.50
09/23/20	K. Kolb	B190	Call with experts regarding potential claims	0.30
09/23/20	G. Fromer	B190	Review notes from call with Stroock and draft investigation update memorandum to UCC	1.30
09/23/20	G. Fromer	B190	Review notes from call with Quinn and draft investigation update memorandum to UCC	0.10
09/23/20	G. Fromer	B190	Discuss potential claims with expert	0.30
09/23/20	G. Fromer	B190	Discuss memo update to UCC with Kyle Kolb	0.10
09/23/20	L. Schepp	B190	Compile various documents for attorney review.	3.40
09/24/20	K. Kolb	B190	Prepare for call regarding potential claims	0.20
09/25/20	C. Carty	B190	Analyze potential causes of action related to Rule 2004 investigation.	3.90
09/25/20	K. Kolb	B190	Discuss claims research with C. Carty	0.20
09/25/20	K. Kolb	B190	Revise memo to UCC regarding investigation update and recommendations	2.90
09/25/20	G. Fromer	B190	Discuss potential claims with expert via email	0.10
09/27/20	K. Kolb	B190	Revise update memo on investigation status	2.60
09/28/20	K. Kolb	B190	Revise memo to UCC regarding investigation status	0.50
09/28/20	L. Schepp	B190	Revise index of BWIC and OWIC index in preparation for attorney review.	0.60
09/29/20	S. O'Donnell	B190	10b5/traprock analysis	0.50
09/29/20	K. Kolb	B190	Analyze documents regarding chronology of CDS market offers	0.30
09/29/20	K. Kolb	B190	Finalize revisions to memo to UCC regarding investigation	2.40
09/29/20	G. Fromer	B190	Discuss document review with paralegal	0.10
09/29/20	G. Fromer	B190	Proofread and revise memorandum update to UCC	1.00
09/29/20	L. Schepp	B190	Update document production index in preparation for attorney review.	0.40
09/30/20	C. Carty	B190	Meeting with CMRA regarding CDS derivatives and ISDA auction overview.	1.50
09/30/20	C. Carty	B190	Review and analyze case law regarding potential claims related to Rule 2004 investigation and discuss same with Herrick team and CMRA.	1.80
09/30/20	S. O'Donnell	B190	Prep and attend expert seminar.	1.50
09/30/20	S. O'Donnell	B190	Following up analysis and calls re: same.	1.00
09/30/20	S. O'Donnell	B190	Analysis of potential claims	1.00
09/30/20	S. Selbst	B190	Attend presentation on derivatives with Peter Niculescu.	1.70



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<u>DATE</u>	<u>NAME</u>	<u>TASK CODE</u>	<u>NARRATIVE</u>	<u> HOURS</u>
09/30/20	K. Kolb	B190	Attend call with experts regarding background on derivatives market and discussion of potential legal theories	3.50
09/30/20	G. Fromer	B190	Participate in seminar hosted by experts on the CDS market	1.20
09/30/20	G. Fromer	B190	Discussion of the ISDA auction with experts	0.50
09/30/20	G. Fromer	B190	Discuss potential claims and data with experts	0.40
09/30/20	S. Stockman	B190	Attend webinar regarding Cyrus strategy.	1.90
09/30/20	L. Schepp	B190	Attend CMRA webex regarding CDS and ISDA auction process.	2.50
			<b>TOTAL</b>	<b>\$125,421.00</b>



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**LEGAL SERVICES SUMMARY**

<u>Timekeeper</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
C. Carty	48.60	785.00	38,151.00
G. Fromer	37.70	420.00	15,834.00
A. Grillo	1.50	250.00	375.00
K. Kolb	61.10	610.00	37,271.00
S. O'Donnell	20.10	1,025.00	20,602.50
L. Poretsky	15.30	390.00	5,967.00
N. Rosen	1.00	320.00	320.00
L. Schepp	9.90	335.00	3,316.50
S. Selbst	1.70	1,000.00	1,700.00
S. Smith	0.70	765.00	535.50
S. Stockman	1.90	435.00	826.50
H. Zimmer	1.20	435.00	522.00
<b>TOTAL</b>	<b>200.70</b>		<b>\$125,421.00</b>

**MANAGING ATTORNEY'S OFFICE**

Electronic/Paper Filing	82.00
Procedural Advice - Federal, NY & NJ	82.00
<b>TOTAL</b>	<b>\$164.00</b>

**E-DISCOVERY & LITIGATION SUPPORT SERVICES**

Project Management	304.00
<b>TOTAL</b>	<b>\$304.00</b>

**TOTAL LEGAL SERVICES** **\$125,889.00**

**DISBURSEMENTS:**

	<u>AMOUNT</u>
Duplication	1,343.64
E-Discovery Data Hosting	215.00
Expert Witness Fees	151,330.00
Online Research	147.42
Postage & Shipping	133.98
Professional Services	50.00



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AMOUNT

**TOTAL:** **\$153,220.04**

**TASK SUMMARY**

<u>Task Code</u>	<u>Task Description</u>	<u>Hours</u>	<u>Amount</u>
B160	Fee/Employment Applications	27.90	14,772.00
B190	Other Contested Matters	174.00	111,117.00
<b>TOTALS</b>		<b>201.90</b>	<b>\$125,889.00</b>

**PREVIOUS BILLS OUTSTANDING**

<u>Invoice #</u>	<u>Invoice Date</u>	<u>Original Amount</u>	<u>Less Credits Applied</u>	<u>Balance</u>
354102	04/20/20	23,692.04	18,975.54	4,716.50
355261	05/29/20	113,746.72	103,232.62	10,514.10
356215	06/30/20	78,000.27	0.00	78,000.27
356647	07/16/20	62,817.18	0.00	62,817.18
358157	08/24/20	43,825.32	0.00	43,825.32
<b>Total Outstanding</b>				<b>\$199,873.37</b>



HERRICK

Official Committee of Unsecured Creditors of Sears Holdings  
Attn: Ron Tucker  
225 W. Washington Street  
Indianapolis, IN 46204

October 22, 2020  
Invoice Number: 538312  
Matter Number: 19609.0002  
Tax ID: 1662

Re: **Jointly Asserted Causes of Action**

Fees for legal services rendered through September 30, 2020	\$327,680.50
Expenses posted through September 30, 2020	3,117.42
<b>TOTAL</b>	<b><u>\$330,797.92</u></b>
Unpaid balance from previous invoice(s)	\$595,448.74
Total Due Now	\$926,246.66

Kindly return this page with your check payment to:

Herrick, Feinstein LLP  
2 Park Avenue  
New York, NY 10016

Send wire payments to:

Citibank, N.A.

ABA Number: 0089  
Account Number: 6165  
SWIFT #:

PLEASE REMIT PAYMENT WITHIN 30 DAYS

**HERRICK, FEINSTEIN LLP** • Two Park Avenue • New York, NY 10016 • Phone: 212.592.1400 • Fax: 212.592.1500



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**LEGAL SERVICES RENDERED:**

<u>DATE</u>	<u>NAME</u>	<u>TASK CODE</u>	<u>NARRATIVE</u>	<u>HOURS</u>
08/01/20	K. Kolb	B190	Analyze documents produced by Deloitte	0.70
08/01/20	K. Kolb	B190	Revise Deloitte review protocol	0.90
08/01/20	H. Zimmer	B190	Confer with Kyle Kolb on production from WLRK	0.10
08/02/20	K. Kolb	B190	Analyze prior briefs in connection with oral argument preparation	1.20
08/02/20	H. Zimmer	B190	Email h5 in connection with WLRK's production of documents	0.10
08/03/20	C. Carty	B190	Analyze issues related to third party discovery in adversary proceeding.	1.70
08/03/20	K. Kolb	B190	Analyze email from vendor regarding analytics	0.20
08/03/20	K. Kolb	B190	Revise oral argument prep document	0.20
08/03/20	E. Plowman	B190	Draft oral argument outline for the Cyrus Defendants' motion to dismiss	3.70
08/03/20	R. Quigley	B190	Review case background materials	1.20
08/03/20	R. Quigley	B190	Research bankruptcy code provisions and draft memorandum for team re: the same	6.00
08/03/20	H. Zimmer	B190	Confer with h5 on document production from WLRK and document review in connection with documents produced in adversary proceeding	0.30
08/03/20	H. Zimmer	B190	Confer with LS and KK regarding preparation for oral arguments on motion to dismiss	0.20
08/03/20	H. Zimmer	B190	Confer with KK and CC regarding discovery	0.10
08/03/20	H. Zimmer	B190	Review documents produced in adversary proceeding	1.00
08/03/20	L. Schepp	B190	Continue to compile cases and authority cited in Cyrus Motion to Dismiss briefing in preparation for oral argument; review of Deloitte document production to identify ways of streamlining attorney subject matter review of production.	5.70
08/04/20	C. Carty	B190	Call with litigation team regarding open tasks in connection with prepetition transfer adversary proceeding and prepare for same.	1.80
08/04/20	K. Kolb	B190	Attend to first level review issues and meet and confer progress	0.30
08/04/20	K. Kolb	B190	Strategize regarding pending discovery issues with C. Carty and H. Zimmer	0.60
08/04/20	E. Plowman	B190	Review motion to dismiss briefing to prepare outline for oral argument on motion to dismiss	1.80
08/04/20	E. Plowman	B190	Draft outline for oral argument on Cyrus MTD	2.70



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<u>DATE</u>	<u>NAME</u>	<u>TASK CODE</u>	<u>NARRATIVE</u>	<u>HOURS</u>
08/04/20	H. Zimmer	B190	Confer with Kyle Kolb and Linda Schepp on documents produced in adversary proceeding, and confer with Conor Anderson on same	0.20
08/04/20	H. Zimmer	B190	Confer with KK and LS concerning oral arguments on motion to dismiss and prep for same	0.10
08/04/20	H. Zimmer	B190	Email counsel to UBS concerning subpoena	0.10
08/04/20	L. Schepp	B190	Compile additional documents for attorney preparation for Cyrus Motion to Dismiss argument.	2.70
08/04/20	L. Schepp	B190	Continued review of Deloitte document production.	1.20
08/05/20	C. Carty	B190	Prepare for oral argument on Cyrus motion to dismiss prepetition transfer adversary proceeding.	1.50
08/05/20	J. D'Angelo	B190	Emails re: Cyrus document production review.	0.10
08/05/20	K. Kolb	B190	Analyze documents produced by Wachtell and Deloitte	0.50
08/05/20	K. Kolb	B190	Discuss Blackstone production background with C. Anderson and H. Zimmer	0.30
08/05/20	K. Kolb	B190	Analyze summary of RPT production	0.40
08/05/20	K. Kolb	B190	Draft argument for oral argument	1.90
08/05/20	C. Anderson	B190	Confer with K. Kolb and H. Zimmer re: document production and review and case background	0.20
08/05/20	C. Anderson	B190	Review background case materials, briefings and complaint	1.20
08/05/20	R. Quigley	B190	Review materials for document review and case background materials	5.00
08/05/20	H. Zimmer	B190	Conference call with Akin concerning review of documents produced in adversary proceeding	0.50
08/05/20	H. Zimmer	B190	Confer with KK and CC regarding document review	0.10
08/05/20	H. Zimmer	B190	Confer with KK and LS on document review	0.10
08/05/20	H. Zimmer	B190	Confer with KK and LS on oral argument prep for motion to dismiss	0.30
08/05/20	H. Zimmer	B190	Confer with H5, KK, and LS concerning documents produced in adversary proceeding	0.20
08/05/20	H. Zimmer	B190	Confer with Conor Anderson re: review of documents produced in adversary proceeding	0.10
08/05/20	H. Zimmer	B190	Confer with LS and KK regarding documents produced in adversary proceeding	0.30
08/05/20	H. Zimmer	B190	Confer with KK and CA regarding review of documents produced in adversary proceeding	0.10
08/05/20	H. Zimmer	B190	Confer with h5 concerning document productions	0.10
08/05/20	H. Zimmer	B190	Conference call with Conor Anderson on review of documents produced in adversary proceeding	0.10
08/05/20	H. Zimmer	B190	Conference call with UBS on UBS' response to subpoena	0.20



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<u>DATE</u>	<u>NAME</u>	<u>TASK CODE</u>	<u>NARRATIVE</u>	<u>HOURS</u>
08/05/20	H. Zimmer	B190	Confer with Chris Carty on UBS' response to subpoena	0.20
08/05/20	L. Schepp	B190	Review and index SDIR document production for Aronstam related documents for attorney review.	4.30
08/05/20	L. Schepp	B190	Compile document related to Cyrus Motion to Dismiss for attorney review prior to oral argument.	1.10
08/06/20	C. Carty	B190	Participate in call with co-counsel re review of new productions and prepare for same.	1.00
08/06/20	C. Carty	B190	Prepare for oral argument on Cyrus motion to dismiss.	2.30
08/06/20	C. Carty	B190	Analyze issues related to third party discovery in connection with prepetition transfer adversary proceeding.	1.20
08/06/20	K. Kolb	B190	Analyze documents produced by Deloitte	0.30
08/06/20	K. Kolb	B190	Summarize and analyze issue related to RPT Subcommittee privilege	0.30
08/06/20	K. Kolb	B190	Attend call with Akin to discuss first level review plan for Deloitte and Wachtell productions	0.50
08/06/20	C. Anderson	B190	Review and analyze background case information, document review breakdown and briefings and complaint	1.40
08/06/20	C. Anderson	B190	Review Blackstone document production for relevant document and possible issues	0.90
08/06/20	E. Plowman	B190	Review cases cited in motion to dismiss briefing for oral argument outline	3.70
08/06/20	H. Zimmer	B190	Conference call with Akin concerning documents produced in adversary proceeding and confer with CC and KK on same	0.70
08/06/20	H. Zimmer	B190	Confer with KK on production of documents produced in adversary proceeding	0.10
08/06/20	H. Zimmer	B190	Confer with LS and KK concerning documents produced by third parties in adversary proceeding and review documents produced	0.30
08/06/20	H. Zimmer	B190	Confer with KK and CC concerning documents produced by third parties in connection with adversary proceeding	0.10
08/06/20	H. Zimmer	B190	Review documents produced in adversary proceeding and confer with Conor Anderson on same	0.20
08/06/20	H. Zimmer	B190	Confer with Akin concerning discovery	0.10
08/06/20	H. Zimmer	B190	Confer with H5 in connection with documents produced in adversary proceeding	0.10
08/06/20	H. Zimmer	B190	Review documents produced in adversary proceeding	0.50
08/06/20	L. Schepp	B190	Compile examples of SDIR documents cited in index for attorney review.	1.70
08/07/20	C. Carty	B190	Review and analyze briefing in connection with Cyrus	1.20



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<u>DATE</u>	<u>NAME</u>	<u>TASK CODE</u>	<u>NARRATIVE</u>	<u> HOURS</u>
			motion to dismiss.	
08/07/20	J. D'Angelo	B190	Review e-mail and Akin first level review protocol memos.	0.50
08/07/20	K. Kolb	B190	Analyze Akin first level review protocol memos	0.90
08/07/20	K. Kolb	B190	Draft outline and analyze cases for oral argument preparation	4.00
08/07/20	C. Anderson	B190	Review Blackstone documents production for relevant documents and possible issues	2.40
08/07/20	E. Plowman	B190	Review motion to dismiss briefing to prepare oral argument outline	3.60
08/07/20	E. Plowman	B190	Draft outline for oral argument on motion to dismiss	2.40
08/07/20	H. Zimmer	B190	Confer with KK on review of documents produced in adversary proceeding	0.10
08/07/20	H. Zimmer	B190	Review discovery memoranda from Akin	0.90
08/07/20	H. Zimmer	B190	Review discovery stipulations from Akin	0.30
08/10/20	J. D'Angelo	B190	High level review of compilation of documents, exhibits and caselaw relevant to Cyrus Defendants' motion to dismiss.	0.70
08/10/20	S. O'Donnell	B190	Oral argument prep.	2.00
08/10/20	K. Kolb	B190	Analyze draft stipulation regarding remote depositions	0.20
08/10/20	K. Kolb	B190	Draft and discuss proposed plan for review of Deloitte and WLRK productions	0.30
08/10/20	K. Kolb	B190	Draft outline for oral argument and analyze cases relied upon in connection with same	6.30
08/10/20	C. Anderson	B190	Review document production for Blackstone and summarize general findings	0.10
08/10/20	E. Plowman	B190	Review document review memos to prepare for document review	1.20
08/10/20	E. Plowman	B190	Review motion to dismiss briefing for oral argument outline on motion to dismiss	3.60
08/10/20	E. Plowman	B190	Draft outline for oral argument on motion to dismiss	2.40
08/10/20	H. Zimmer	B190	Confer with CC and KK on stipulations from akin	0.20
08/10/20	H. Zimmer	B190	Confer with Conor Anderson on documents produced in adversary proceeding and summary on same	0.30
08/10/20	H. Zimmer	B190	Email Dean Chapman concerning deposition stipulation	0.10
08/10/20	H. Zimmer	B190	Analyze papers submitted in connection with motion to dismiss, including Akin Brief, Cyrus Moving Brief and Reply, and Herrick's opposition, and draft portion of outline of oral argument	1.50
08/10/20	H. Zimmer	B190	Confer with Akin and WilmerHale on motion to dismiss	0.10
08/10/20	H. Zimmer	B190	Review Elizabeth Plowman's outline for oral argument	0.20



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<u>DATE</u>	<u>NAME</u>	<u>TASK CODE</u>	<u>NARRATIVE</u>	<u>HOURS</u>
			on unjust enrichment claim	
08/10/20	H. Zimmer	B190	Review finalized outline for oral argument from KK on motion to dismiss	0.70
08/10/20	H. Zimmer	B190	Confer with KK and CC on review of documents produced in adversary proceeding	0.10
08/10/20	H. Zimmer	B190	Confer with H5 and Akin concerning review of documents produced in adversary proceeding	0.20
08/11/20	C. Carty	B190	Prepare for oral argument on Cyrus motion to dismiss.	1.60
08/11/20	J. D'Angelo	B190	Emails re: oral argument and final Transform Document Sharing Stipulation.	0.30
08/11/20	K. Kolb	B190	Revise oral argument outline	1.00
08/11/20	K. Kolb	B190	Draft review protocol addendum regarding Deloitte and WLRK productions	2.30
08/11/20	D. Field	B190	Discuss review of documents produced in adversary proceeding	0.10
08/11/20	E. Plowman	B190	Review oral argument outline for motion to dismiss	0.70
08/11/20	H. Zimmer	B190	Confer with Dan Field on documents produced in adversary proceeding	0.10
08/11/20	H. Zimmer	B190	Review task list and confer with KK and CC on open items on discovery	0.30
08/11/20	H. Zimmer	B190	Confer with KK on oral argument on motion to dismiss	0.10
08/11/20	H. Zimmer	B190	Confer with KK and CC on oral argument on motion to dismiss	0.10
08/11/20	H. Zimmer	B190	Confer with KK and EP on oral argument strategy	0.10
08/11/20	H. Zimmer	B190	Review email from Elizabeth Plowman in connection with review of documents produced in adversary proceeding and oral argument	0.20
08/11/20	H. Zimmer	B190	Review email from KK on documents produced in adversary proceeding and strategy going forward	0.20
08/11/20	H. Zimmer	B190	Review email from Akin concerning stipulation and review same	0.30
08/11/20	H. Zimmer	B190	Review email from CC to Akin concerning oral argument on motion to dismiss	0.10
08/11/20	H. Zimmer	B190	Revise review memoranda	0.20
08/12/20	C. Carty	B190	Revise search terms to Wachtell in connection with prepetition transfer adversary proceeding (1.3); revise search parameters for other recipients of third party discovery (0.8); attention to third party discovery (0.6).	2.70
08/12/20	K. Kolb	B190	Review summary of Blackstone document production	0.40
08/12/20	K. Kolb	B190	Emails regarding oral argument logistics and Tranform production stipulation	0.20
08/12/20	C. Anderson	B190	Review Blackstone document production and summarize	2.00



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<u>DATE</u>	<u>NAME</u>	<u>TASK CODE</u>	<u>NARRATIVE</u>	<u>HOURS</u>
			relevant documents and analysis	
08/12/20	C. Anderson	B190	Draft emails re: Blackstone production review	0.10
08/12/20	H. Zimmer	B190	Review emails from KK to Wilmer Hale in connection with oral argument and Akin in connection with stipulation for discovery	0.10
08/12/20	H. Zimmer	B190	Review email from Wilmer Hale on oral argument for motion to dismiss	0.10
08/12/20	H. Zimmer	B190	Review Conor Anderson's summary on documents produced in adversary proceeding and confer with CA and KK on same	0.70
08/12/20	H. Zimmer	B190	Review email from Judge Drain's chambers in connection with hearing on motion to dismiss	0.10
08/12/20	H. Zimmer	B190	Review email from CC on oral argument for motion to dismiss	0.10
08/12/20	H. Zimmer	B190	Review edits from CC on hit reports produced by WLRK in connection with subpoena and confer with CC on same	0.20
08/12/20	H. Zimmer	B190	Review and revise task list	0.30
08/12/20	H. Zimmer	B190	Review documents produced in adversary proceeding	0.50
08/12/20	L. Schepp	B190	Identify native file for C. Anderson in Blackstone production for further attorney review.	0.50
08/13/20	C. Carty	B190	Prepare for oral argument on Cyrus motion to dismiss.	1.30
08/13/20	S. O'Donnell	B190	Prepare for oral argument on Cyrus motion to dismiss.	2.00
08/13/20	K. Kolb	B190	Revise search parameters	0.20
08/13/20	K. Kolb	B190	Discuss case background and discovery projects with M. Calb	1.20
08/13/20	K. Kolb	B190	Revise memo regarding first level review process	0.70
08/13/20	K. Kolb	B190	Revise Girard search parameters	0.20
08/13/20	K. Kolb	B190	Analyze documents produced by Deloitte	0.40
08/13/20	M. Calb	B190	Call with K. Kolb to discuss case background (0.7); review amended complaint (1.7); review Wachtell liability memo (0.3); review scheduling order (0.2); review doc review memos (0.5); review papers on motions to dismiss and chart summarizing same (1.3).	4.30
08/13/20	H. Zimmer	B190	Review documents produced in adversary proceeding	1.60
08/13/20	H. Zimmer	B190	Revise memoranda on review for documents produced in adversary proceeding	0.20
08/13/20	H. Zimmer	B190	Confer with KK on CC's revisions to WLRK hit reports in connection with producing documents in response to subpoena	0.10
08/13/20	H. Zimmer	B190	Review KK's addendum to contract attorneys in connection with review of documents produced in	0.20



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			adversary proceeding and confer with KK on same	
08/13/20	H. Zimmer	B190	Confer with CC on motion to dismiss	0.10
08/13/20	H. Zimmer	B190	Draft parameters for Robbins LLP, revise parameters for Girard Sharp, and confer with CC on same	0.80
08/13/20	H. Zimmer	B190	Revise memoranda on documents produced in adversary proceeding and case strategy	0.20
08/13/20	H. Zimmer	B190	Review emails from KK to h5 in connection with documents produced in adversary proceeding	0.10
08/13/20	H. Zimmer	B190	Review email from counsel for UBS in connection with UBS's production of documents in response to subpoena	0.20
08/13/20	L. Schepp	B190	Update document production index.	2.30
08/14/20	S. O'Donnell	B190	Prep for oral argument; zoom/court testing.	2.00
08/14/20	K. Kolb	B190	Analyze additional documents produced by Cyrus	2.40
08/14/20	K. Kolb	B190	Additional research for oral argument	2.20
08/14/20	C. Anderson	B190	Draft emails re: document review and status	0.10
08/14/20	M. Calb	B190	Review discovery documents including request, responses and objections, initial disclosures, and correspondence re scope and productions.	1.00
08/14/20	H. Zimmer	B190	Confer with Conor Anderson on review of documents produced in adversary proceeding	0.20
08/14/20	H. Zimmer	B190	Appearing on zoom to test oral argument before Judge Drain's chambers	0.40
08/14/20	H. Zimmer	B190	Confer with CC on notes from test with Judge Drain's chambers	0.10
08/14/20	H. Zimmer	B190	Confer with KK and MC on call re: Sears background and strategy	0.10
08/14/20	H. Zimmer	B190	Review email from Deloitte in connection with Deloitte's production of documents in response to subpoena	0.10
08/16/20	K. Kolb	B190	Analyze and second-level review documents produced by Cyrus	3.10
08/17/20	C. Carty	B190	Prepare for motion to dismiss oral arguments in connection with adversary proceeding.	0.50
08/17/20	J. D'Angelo	B190	E-mail re: oral argument prep; review outline.	0.40
08/17/20	S. O'Donnell	B190	Argument prep.	1.50
08/17/20	K. Kolb	B190	Discuss pending discovery issues with M. Calb and H. Zimmer	1.30
08/17/20	K. Kolb	B190	Revise oral argument outline	1.20
08/17/20	K. Kolb	B190	Analyze cases for oral argument preparation	1.00
08/17/20	K. Kolb	B190	Call regarding oral argument preparation	0.30
08/17/20	K. Kolb	B190	Plan and prepare for first level review of Deloitte and Wachtell productions	0.70



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08/17/20	K. Kolb	B190	Email to Deloitte regarding privilege log	0.10
08/17/20	C. Anderson	B190	Review and analyze Greenlight appraisals and property valuations and related document production	4.10
08/17/20	C. Anderson	B190	Revise summary of relevant Blackstone document productions	0.40
08/17/20	C. Anderson	B190	Review Cushman appraisals and valuation tables for relevant methodology and valuations against Greenlight appraisals	1.10
08/17/20	M. Calb	B190	Calls and correspondence with K. Kolb and H. Zimmer re motion practice, document review, discovery, legal research and scheduling.	1.20
08/17/20	M. Calb	B190	Review Deloitte documents.	3.50
08/17/20	M. Calb	B190	Review working doc describing productions, subpoenas, and review tasks.	0.40
08/17/20	M. Calb	B190	Review hot docs from Wachtell production and summary of same.	1.20
08/17/20	G. Fromer	B190	Review documents produced by Cyrus Defendants	0.10
08/17/20	G. Fromer	B190	Review email analysis from Kyle Kolb regarding Cyrus document review next steps and analyze potential new allegations	0.30
08/17/20	G. Fromer	B190	Review Cyrus Motion to Dismiss	0.60
08/17/20	E. Plowman	B190	Call with other Herrick attorneys re oral argument on motions to dismiss	0.20
08/17/20	E. Plowman	B190	Review case law re collapsing transfers for fraudulent conveyance claims for response to argument that no knowledge of the scheme was alleged	4.50
08/17/20	E. Plowman	B190	Summarize cases in the Cyrus motion to dismiss briefing to prepare for oral argument	2.30
08/17/20	H. Zimmer	B190	Review outline for oral argument and confer with KK on same	0.50
08/17/20	H. Zimmer	B190	Confer with KK and MA concerning case overview and primary documents utilized in case	0.10
08/17/20	H. Zimmer	B190	Review email from counsel to Deloitte concerning production	0.10
08/17/20	H. Zimmer	B190	Confer with KK and EP on oral argument	0.20
08/17/20	H. Zimmer	B190	Confer with MC and KK concerning review of documents produced in adversary proceeding	0.20
08/17/20	H. Zimmer	B190	Review emails between Herrick and Akin concerning first level review of documents produced in adversary proceeding	0.10
08/17/20	H. Zimmer	B190	Confer with Conor Anderson concerning review of documents produced in adversary proceeding and	0.80



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			review summary on same	
08/17/20	H. Zimmer	B190	Conference call with KK and MC regarding overview, analysis, and strategy of case	0.90
08/17/20	H. Zimmer	B190	Conf. call with KK concerning strategy and review of documents produced in adversary proceeding	0.30
08/17/20	H. Zimmer	B190	Conference call with MC concerning documents produced in adversary proceeding	0.40
08/17/20	H. Zimmer	B190	Review documents produced in adversary proceeding	0.30
08/17/20	L. Schepp	B190	Check Cyrus production documents cited in oral argument outline, per K. Kolb.	1.90
08/18/20	C. Carty	B190	Prepare for oral argument on motions to dismiss (3.2); review and analyze case law cited in motions to dismiss (2.4, 2.5).	8.10
08/18/20	J. D'Angelo	B190	Emails re: oral argument, outline and exhibits re: same.	0.30
08/18/20	S. O'Donnell	B190	Oral argument prep.	2.00
08/18/20	K. Kolb	B190	Draft and revise case summaries for oral argument	2.10
08/18/20	K. Kolb	B190	Review documents in connection with Blackstone review and related issues	0.80
08/18/20	K. Kolb	B190	Analyze documents produced by Deloitte in connection with planning for first level review	0.40
08/18/20	K. Kolb	B190	Discuss Blackstone production and related issues with H. Zimmer and C. Anderson	0.30
08/18/20	C. Anderson	B190	Confer internally re: Greenlight appraisals compared to Cushman appraisals	0.20
08/18/20	C. Anderson	B190	Confer internally re: Deloitte research	0.50
08/18/20	M. Calb	B190	Correspondence re oral argument on MTD.	0.20
08/18/20	M. Calb	B190	Call and correspondence with case team re Deloitte research assignment.	0.80
08/18/20	M. Calb	B190	Review documents supporting going concern allegation in FAC re Deloitte.	0.60
08/18/20	M. Calb	B190	Review internal memo re Wachtell and case law cited therein.	1.30
08/18/20	M. Calb	B190	Review RLF production summary.	0.50
08/18/20	G. Fromer	B190	Reply to Kyle Kolb's email on Cyrus document review strategy	0.10
08/18/20	E. Plowman	B190	Review/summarize cases for oral argument on Cyrus motion to dismiss	5.30
08/18/20	H. Zimmer	B190	Review papers for oral arguments before Judge Drain on motion to dismiss, including cases and exhibits sent by Akin, draft write-up on cases utilized in papers, and confer with KK on same	4.70
08/18/20	H. Zimmer	B190	Review email from chambers concerning oral argument	0.10



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08/18/20	H. Zimmer	B190	Conference call with KK and CA concerning Blackstone documents	0.30
08/18/20	H. Zimmer	B190	Review documents produced in adversary proceeding	0.40
08/18/20	L. Schepp	B190	Check citations in oral argument regarding Cyrus documents.	0.80
08/19/20	C. Carty	B190	Attend oral argument on motions to dismiss in adversary proceeding and prepare for same.	8.20
08/19/20	J. D'Angelo	B190	E-mail re: oral argument.	0.30
08/19/20	S. O'Donnell	B190	Prep and attend hearing.	4.50
08/19/20	K. Kolb	B190	Attend oral argument on motion to dismiss	1.50
08/19/20	K. Kolb	B190	Revise oral argument outline	1.50
08/19/20	K. Kolb	B190	Analyze documents produced by Deloitte	0.30
08/19/20	C. Anderson	B190	Review Deloitte related memos and contracts related to cause of action research	0.40
08/19/20	M. Calb	B190	Review additional Deloitte documents from production.	0.30
08/19/20	E. Plowman	B190	Review/summarize cases for oral argument on Cyrus motion to dismiss	5.80
08/19/20	E. Plowman	B190	Research re Illinois versus NY's voluntary payment doctrine	1.60
08/19/20	H. Zimmer	B190	Confer with KK and EP concerning motion to dismiss	0.20
08/19/20	H. Zimmer	B190	Attend oral arguments on motion to dismiss before Judge Drain	7.50
08/20/20	C. Carty	B190	Prepare for oral argument on motions to dismiss (4.2); review and analyze case law cited in motions to dismiss (3.4).	7.60
08/20/20	K. Kolb	B190	Revise oral argument outline	1.00
08/20/20	K. Kolb	B190	Email regarding first level review of third party productions	0.30
08/20/20	E. Plowman	B190	Research re Illinois voluntary payment doctrine for oral argument on Cyrus motion to dismiss	1.10
08/20/20	H. Zimmer	B190	Confer with CC and Akin concerning subpoena on UBS and research on expenses	1.00
08/20/20	H. Zimmer	B190	Review updates to oral argument outline	0.20
08/20/20	H. Zimmer	B190	Review email from Deloitte concerning privilege log	0.10
08/20/20	H. Zimmer	B190	Review email from Akin concerning first level review of documents and confer with KK and H5 concerning same	0.30
08/20/20	H. Zimmer	B190	Confer with EP and KK concerning motion to dismiss	0.30
08/20/20	H. Zimmer	B190	Confer with KK and CC on third party discovery	0.40
08/21/20	C. Carty	B190	Prepare for oral argument on motions to dismiss (3.3, 1.9); review and analyze case law cited in motions to dismiss (2.8).	8.00



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08/21/20	S. O'Donnell	B190	Argument prep; review Cyrus docs.	2.50
08/21/20	K. Kolb	B190	Confer with counsel for Deloitte regarding privilege log	0.20
08/21/20	K. Kolb	B190	Revise review addendum	0.30
08/21/20	M. Calb	B190	Correspondence re Deloitte research (0.2); review key agreements and engagement letters (0.5).	0.70
08/21/20	H. Zimmer	B190	Review documents produced in adversary proceeding	1.30
08/21/20	H. Zimmer	B190	Review document, revise memoranda on case strategy, review communications with third party discovery, review privilege log draft protocol	1.40
08/21/20	H. Zimmer	B190	Review privilege log sent by Deloitte and confer with KK on same	0.40
08/21/20	H. Zimmer	B190	Conference call with Deloitte and Wilmer Hale concerning privilege log	0.20
08/22/20	C. Carty	B190	Review and analyze documents submitted by Cyrus in connection with motions to dismiss oral argument.	1.20
08/22/20	S. O'Donnell	B190	Argument prep.	2.00
08/22/20	K. Kolb	B190	Analyze privilege log provided by third party	0.20
08/22/20	H. Zimmer	B190	Review documents produced in adversary proceeding	0.30
08/23/20	C. Carty	B190	Prepare for oral argument on motions to dismiss.	5.60
08/23/20	S. O'Donnell	B190	Prepare for oral argument	2.00
08/24/20	C. Carty	B190	Prepare for oral argument on motions to dismiss (4.1, 2.5); review and analyze case law cited in motions to dismiss (3.5, 1.2).	11.30
08/24/20	S. O'Donnell	B190	Prepare for oral argument	2.00
08/24/20	K. Kolb	B190	Analyze revisions to oral argument outline	0.40
08/24/20	K. Kolb	B190	Further research for oral argument	0.50
08/24/20	K. Kolb	B190	Email regarding protocol for review	0.20
08/24/20	K. Kolb	B190	Analyze Deloitte documents and plan for review	0.30
08/24/20	M. Calb	B190	Correspondence re Deloitte review.	0.20
08/24/20	H. Zimmer	B190	Review finalized outline for Herrick's argument on opposition to Cyrus' motion to dismiss in anticipation of August 25 hearing before Judge Drain	0.50
08/24/20	H. Zimmer	B190	Confer with Laini John on hearing before Judge Drain	0.10
08/24/20	H. Zimmer	B190	Review document sent by Russell Collins at Akin Gump concerning documents produced in adversary proceeding; and review binder from Cyrus	0.80
08/24/20	H. Zimmer	B190	Review email from Judge Drain's chambers concerning hearing for August 25	0.10
08/24/20	H. Zimmer	B190	Confer with KK and CC on argument for opposition to motion to dismiss by Cyrus	0.40
08/24/20	H. Zimmer	B190	Review documents produced in adversary proceeding	0.50



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			and revise research memoranda on second level review	
08/24/20	L. Schepp	B190	Compile documents for reference by C. Carty during oral argument.	0.80
08/25/20	C. Carty	B190	Prepare for oral argument on motions to dismiss (2.1); attend oral argument on motions to dismiss (7.5).	9.60
08/25/20	S. O'Donnell	B190	Prep and attend hearing.	8.50
08/25/20	K. Kolb	B190	Analyze Deloitte internal memo	0.50
08/25/20	K. Kolb	B190	Analyze Deloitte privilege log information	0.60
08/25/20	K. Kolb	B190	Draft further case summaries in connection with oral argument	1.10
08/25/20	K. Kolb	B190	Attend oral argument	2.50
08/25/20	C. Anderson	B190	Review contracts and going concern memos from Deloitte for possible causes of action	0.20
08/25/20	C. Anderson	B190	Review relevant articles and case law on auditor liability and causes of action	1.20
08/25/20	C. Anderson	B190	Research and analyze case law and causes of action for liability of auditor/accountant	0.60
08/25/20	C. Anderson	B190	Research and analyze case law and causes of action for liability of auditor/accountant	1.70
08/25/20	C. Anderson	B190	Confer with M. Calb on possible causes of action and research in auditor liability	0.30
08/25/20	M. Calb	B190	Review auditor engagement letters (0.3); call re Deloitte research preliminary findings (0.5); review case law re auditor standard of care (1.1).	1.90
08/25/20	H. Zimmer	B190	Attend oral arguments on motion to dismiss before Judge Drain via zoom	6.70
08/25/20	H. Zimmer	B190	Confer with Sean O'Donnell and Kyle Kolb in connection with oral arguments on motion to dismiss before Judge Drain	0.10
08/26/20	C. Anderson	B190	Analyze and summarize Greenlight appraisals from Blackstone document production	3.70
08/26/20	H. Zimmer	B190	Review email from counsel to Deloitte concerning privilege log	0.10
08/27/20	C. Carty	B190	Prepare for oral argument on motions to dismiss adversary proceeding.	3.50
08/27/20	C. Anderson	B190	Revise Blackstone Doc Production Summary and draft related emails	0.60
08/27/20	M. Calb	B190	Review Deloitte Seritage transaction risk assessment memo and associated correspondence.	0.90
08/28/20	C. Carty	B190	Prepare for oral argument on motions to dismiss adversary proceeding.	4.50
08/28/20	S. O'Donnell	B190	Prepare for oral argument on motion to dismiss	1.00



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			adversary proceeding.	
08/28/20	K. Kolb	B190	Respond to inquiries regarding scope of research assignments	0.30
08/28/20	K. Kolb	B190	Review research summary regarding scope of privilege	0.20
08/28/20	K. Kolb	B190	Analyze letters to Court regarding Nine West decision	0.20
08/28/20	M. Calb	B190	Review board meeting minutes re Deloitte presentations.	1.00
08/28/20	E. Plowman	B190	Research re the PCAOB/Section 105 privilege to assess Deloitte's assertion of the privilege	4.60
08/28/20	H. Zimmer	B190	Review email from Judge Drain's chambers in connection with August 31 hearing	0.20
08/28/20	H. Zimmer	B190	Review summary from Elizabeth Plowman of research on privilege	0.40
08/28/20	H. Zimmer	B190	Review hot document from documents produced in adversary proceeding	0.20
08/29/20	H. Zimmer	B190	Review documents produced in adversary proceeding	0.40
08/30/20	C. Carty	B190	Prepare for oral argument on motions to dismiss adversary proceeding.	2.20
08/30/20	H. Zimmer	B190	Revise memoranda in connection with review of Sears claims and review	3.10
08/31/20	C. Carty	B190	Participate in oral argument hearing related to motions to dismiss adversary proceeding (3.5); prepare for same (1.0).	4.50
08/31/20	S. O'Donnell	B190	Prep and attend argument.	5.50
08/31/20	K. Kolb	B190	Analyze summary of Blackstone production	0.30
08/31/20	K. Kolb	B190	Distinguish additional cases for oral argument	0.30
08/31/20	K. Kolb	B190	Attend oral argument on motions to dismiss	3.50
08/31/20	H. Zimmer	B190	Revise memoranda on review protocol and essential claims and review documents produced in adversary proceeding	1.00
08/31/20	H. Zimmer	B190	Revise memoranda on review protocol and essential claims and review documents produced in adversary proceeding, and confer with KK and CC regarding open items on discovery	1.00
08/31/20	H. Zimmer	B190	Attend hearing before Judge Drain on day 3 of oral arguments on motion to dismiss	3.60
08/31/20	H. Zimmer	B190	Review oral argument outline in preparation for day 3 of oral argument with respect to actual and constructive fraudulent transfer	0.40
09/01/20	K. Kolb	B190	Discuss second level review process with H. Zimmer	0.20
09/01/20	C. Anderson	B190	Research Causes of Action against Auditor/Deloitte and prepare outline of research	1.80



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<u>DATE</u>	<u>NAME</u>	<u>TASK CODE</u>	<u>NARRATIVE</u>	<u>HOURS</u>
09/01/20	C. Anderson	B190	Review and analyze Sears/Deloitte engagement letters and tax service contracts	0.90
09/01/20	M. Calb	B190	Review docket updates.	0.30
09/01/20	H. Zimmer	B190	Confer with KK on Wachtell subpoena	0.10
09/01/20	H. Zimmer	B190	E-mail Wilmer Hale in connection with Wachtell subpoena	0.10
09/01/20	H. Zimmer	B190	Draft and revise memorandum on second level review of documents produced in adversary proceeding and confer with KK on same	3.50
09/02/20	K. Kolb	B190	Analyze Wilmer Hale revisions to search terms	0.10
09/02/20	C. Anderson	B190	Research causes of action against auditor/Deloitte and draft related summary/outline	1.70
09/02/20	M. Calb	B190	Review draft memo re auditor standard of care and case law cited therein.	2.10
09/02/20	H. Zimmer	B190	Confer with KK on conference with Akin concerning document review	0.10
09/02/20	H. Zimmer	B190	Review documents produced in adversary proceeding	1.20
09/02/20	H. Zimmer	B190	Review email from Wilmer Hale in connection with WLRK subpoena	0.10
09/02/20	H. Zimmer	B190	Confer with KK and H5 concerning documents produced in adversary proceeding	0.10
09/02/20	H. Zimmer	B190	Confer with KK and CC concerning wachtell subpoena	0.10
09/03/20	K. Kolb	B190	Discuss review process with H. Zimmer	0.20
09/03/20	H. Zimmer	B190	Confer with KK on review of documents produced in adversary proceeding	0.20
09/03/20	H. Zimmer	B190	Confer with H5 concerning review of documents produced in adversary proceeding	0.20
09/03/20	H. Zimmer	B190	Review email between KK and Akin concerning review of documents produced in adversary proceeding	0.10
09/03/20	H. Zimmer	B190	Analyze documents produced in adversary proceeding	0.40
09/03/20	H. Zimmer	B190	Confer with KK on review of documents produced in adversary proceeding	0.30
09/04/20	K. Kolb	B190	Call with Akin regarding Deloitte and Wachtell second level review	0.30
09/04/20	K. Kolb	B190	Draft email regarding summary of second level review process	0.40
09/04/20	K. Kolb	B190	Discuss further revisions to search terms and email to opposing counsel	0.20
09/04/20	M. Calb	B190	Review updated discovery memo (0.3); correspondence with case team re same (0.2); second level review of Deloitte documents (2.5); review docket updates including motion to compel (0.3).	3.30



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<u>DATE</u>	<u>NAME</u>	<u>TASK CODE</u>	<u>NARRATIVE</u>	<u>HOURS</u>
09/04/20	H. Zimmer	B190	Conference call with Akin regarding process for review of documents produced in adversary proceeding	0.30
09/04/20	H. Zimmer	B190	Review documents produced in adversary proceeding	0.20
09/04/20	H. Zimmer	B190	Confer with KK, CC, LS, and h5 concerning review of documents produced in adversary proceeding and batches	0.30
09/04/20	H. Zimmer	B190	Confer with KK and CC concerning Wachtell subpoena	0.10
09/04/20	H. Zimmer	B190	Draft list of topics and assigning attorneys for document review and confer with KK on same	0.30
09/04/20	H. Zimmer	B190	Review email from Herrick to WLRK concerning Wachtell subpoena	0.10
09/04/20	H. Zimmer	B190	Confer with KK regarding review of documents produced in adversary proceeding and instructions to team regarding same, and review email from KK on same	0.60
09/04/20	H. Zimmer	B190	Review documents produced in adversary proceeding	2.70
09/04/20	H. Zimmer	B190	Revise hit report for Wachtell subpoena and send same to Kyle Kolb and confer with Kyle Kolb on same	0.20
09/08/20	K. Kolb	B190	Analyze documents regarding going concern	0.30
09/08/20	K. Kolb	B190	Analyze documents identified as hot from Deloitte production	0.70
09/08/20	M. Calb	B190	Correspondence re Deloitte research.	0.30
09/08/20	M. Calb	B190	Second level review of Deloitte documents.	2.20
09/08/20	M. Calb	B190	Review recent case filings.	0.20
09/08/20	G. Fromer	B190	Review document review assignment explanatory email from Kyle Kolb	0.40
09/08/20	R. Quigley	B190	Review documents in productions	1.40
09/08/20	H. Zimmer	B190	Confer with KK, LS, and EP concerning Deloitte privilege log	0.40
09/08/20	L. Schepp	B190	Discussion with K. Kolb regarding Deloitte privilege log review.	0.40
09/09/20	K. Kolb	B190	Analyze summary of issues relating to third party's privilege log	0.20
09/09/20	H. Zimmer	B190	Confer with KK on third party discovery	0.20
09/09/20	H. Zimmer	B190	Confer with KK and LS regarding Deloitte privilege log and documents produced in adversary proceeding	0.40
09/09/20	H. Zimmer	B190	Review documents produced in adversary proceeding	0.20
09/09/20	H. Zimmer	B190	Review email from Akin concerning privilege log stipulation and review same	0.20
09/09/20	L. Schepp	B190	Review Deloitte privilege log for attorney names and issues relating to various email subjects, per K. Kolb.	3.70
09/10/20	C. Carty	B190	Call with Akin and Wilmer regarding outstanding third	0.80



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<u>DATE</u>	<u>NAME</u>	<u>TASK CODE</u>	<u>NARRATIVE</u>	<u>HOURS</u>
			party discovery issues and prepare for same.	
09/10/20	R. Quigley	B190	Review documents in productions	2.10
09/10/20	H. Zimmer	B190	Conference call with Chris Carty concerning discovery	0.10
09/10/20	H. Zimmer	B190	Conference call with Akin and Wilmer Hale concerning status of third party subpoenas and finalize summary of same	0.90
09/10/20	H. Zimmer	B190	Confer with Kyle Kolb on review of discovery and review of documents produced in adversary proceeding	0.10
09/10/20	H. Zimmer	B190	Email Wilmer Hale in connection with Deloitte production	0.10
09/11/20	K. Kolb	B190	Attend to second level review	0.20
09/11/20	R. Quigley	B190	Review documents in productions	1.70
09/11/20	H. Zimmer	B190	Confer with KK, CC, and H5 concerning review of documents produced in adversary proceeding	0.10
09/13/20	H. Zimmer	B190	Confer with KK and CA regarding memorandum on review of documents produced in adversary proceeding and review memorandum on same	0.30
09/14/20	C. Carty	B190	Review and analyze documents produced in connection with third party subpoenas.	2.10
09/14/20	C. Anderson	B190	Review and revise Blackstone document production summary	1.20
09/14/20	C. Anderson	B190	Review and analyze Blackstone document production for Project Madison terms and overall structure	0.70
09/14/20	C. Anderson	B190	Participate in Deloitte research call	0.30
09/14/20	H. Zimmer	B190	Confer with KK and LS regarding review of documents produced in adversary proceeding	0.10
09/14/20	H. Zimmer	B190	Analyze email from Dean Chapman concerning stipulation	0.20
09/15/20	C. Anderson	B190	Review Blackstone document production for relevant correspondences	0.60
09/15/20	C. Anderson	B190	Revise Blackstone production summary and draft executive summary	0.30
09/15/20	G. Fromer	B190	Discuss document review with Heather Zimmer	0.10
09/15/20	R. Quigley	B190	Review documents in productions	2.30
09/16/20	C. Anderson	B190	Draft emails re: Blackstone document summary and revisions	0.10
09/16/20	R. Quigley	B190	Review documents in productions	1.80
09/16/20	H. Zimmer	B190	Review email from Conor Anderson concerning Blackstone production in response to subpoena	0.20
09/16/20	H. Zimmer	B190	Confer with KK concerning discovery and case status	0.10
09/16/20	H. Zimmer	B190	Revise task list and confer with CC and KK on same	0.50



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<u>DATE</u>	<u>NAME</u>	<u>TASK CODE</u>	<u>NARRATIVE</u>	<u> HOURS</u>
09/17/20	C. Carty	B190	Call with K. Kolb and H. Zimmer re third party discovery and prepare for same.	1.00
09/17/20	K. Kolb	B190	Discuss discovery status items with C. Carty and H. Zimmer	0.30
09/17/20	K. Kolb	B190	Further research and draft summary of third party privilege issue	0.70
09/17/20	K. Kolb	B190	Analyze draft amendment to scheduling order	0.10
09/17/20	K. Kolb	B190	Supervise second level review of subpoena productions	0.40
09/17/20	K. Kolb	B190	Revise memo regarding potential claims	1.00
09/17/20	G. Fromer	B190	Review document review background internal working document	1.00
09/17/20	G. Fromer	B190	Conduct second level review of Deloitte documents regarding pre-Seritage Spinoff Transactions	3.70
09/17/20	G. Fromer	B190	Discuss document review with Heather Zimmer	0.10
09/17/20	G. Fromer	B190	Discuss document review with Heather Zimmer	0.20
09/17/20	E. Plowman	B190	Review and analyze documents in adversary proceeding	4.60
09/17/20	H. Zimmer	B190	Confer with KK and CC regarding discovery open items	0.30
09/17/20	H. Zimmer	B190	Email Andrew Cheung at Wachtell concerning hit reports	0.10
09/17/20	H. Zimmer	B190	Confer with KK, CC, and Dean Chapman concerning deponent list and scheduling order	0.10
09/17/20	H. Zimmer	B190	Review email from KK concerning Deloitte subpoena	0.30
09/17/20	H. Zimmer	B190	Confer with Deloitte concerning privilege log in connection with subpoena	0.10
09/17/20	H. Zimmer	B190	Confer with KK and H5 concerning document review	0.20
09/17/20	H. Zimmer	B190	Review email from KK concerning document review of documents produced in adversary proceeding	0.20
09/18/20	K. Kolb	B190	Revise research memo regarding potential claims	3.10
09/18/20	G. Fromer	B190	Conduct second level review of Deloitte documents regarding pre-Seritage Spinoff Transactions	0.40
09/18/20	G. Fromer	B190	Update analysis as to which state's statute of limitation applies to each potential claim	0.70
09/18/20	G. Fromer	B190	Discuss revising potential claims memorandum with Kyle Kolb	0.10
09/18/20	G. Fromer	B190	Discuss revising potential claims memorandum with Kyle Kolb	0.20
09/18/20	G. Fromer	B190	Research whether place of incorporation or principal place of business is the place where the cause of action accrued under NY borrowing statute	0.40
09/18/20	E. Plowman	B190	Review and analyze docs in adversary proceeding	2.60
09/18/20	R. Quigley	B190	Review documents in productions	1.30
09/18/20	S. Stockman	B190	Confer with IT regarding access to document production	0.30



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<u>DATE</u>	<u>NAME</u>	<u>TASK CODE</u>	<u>NARRATIVE</u>	<u>HOURS</u>
			database	
09/18/20	S. Stockman	B190	Review memorandum regarding second level document review and begin review of documents.	2.00
09/18/20	H. Zimmer	B190	Review email from WLRK concerning hit reports of search terms	0.20
09/18/20	H. Zimmer	B190	Confer with Elizabeth Plowman, Linda Schepp, and Kyle Kolb concerning Deloitte production	0.20
09/18/20	H. Zimmer	B190	Review emails from H5 and Linda Schepp concerning document review	0.10
09/18/20	H. Zimmer	B190	Confer with Kyle kolb and Linda Schepp concerning Deloitte subpoena	0.20
09/18/20	H. Zimmer	B190	Draft letter to UBS regarding request for costs and conduct additional research regarding law on division of costs, send same to Chris Carty	2.40
09/18/20	L. Schepp	B190	Review Deloitte document production of various document types for completeness	2.80
09/19/20	K. Kolb	B190	Revise and research for memorandum on potential claims	5.60
09/19/20	K. Kolb	B190	Analyze hit report from subpoena recipient	0.20
09/20/20	K. Kolb	B190	Revise claims analysis memorandum	1.60
09/21/20	C. Carty	B190	Review and analyze documents produced in connection with third party subpoenas.	2.30
09/21/20	K. Kolb	B190	Supervise second level review process	0.40
09/21/20	K. Kolb	B190	Revise memo and review related produced documents regarding potential claims	1.90
09/21/20	C. Anderson	B190	Revise Blackstone document summary and draft related emails	0.10
09/21/20	G. Fromer	B190	Revise potential claims memorandum	1.60
09/21/20	G. Fromer	B190	Conduct legal research on NY court split on applying interests analysis or internal affairs doctrine to choice of law analysis	1.10
09/21/20	G. Fromer	B190	Research whether there is a conflict between New York and Illinois law on aiding and abetting breach of fiduciary duty	0.60
09/21/20	G. Fromer	B190	Research whether interests analysis is applied to claims against third parties	0.50
09/21/20	E. Plowman	B190	Review and analyze documents in adversary proceeding	1.50
09/21/20	H. Zimmer	B190	Review email from Dean Chapman to Judge Drain concerning scheduling order	0.10
09/21/20	H. Zimmer	B190	Review email from contract attorney concerning hot documents	0.10



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<u>DATE</u>	<u>NAME</u>	<u>TASK CODE</u>	<u>NARRATIVE</u>	<u>HOURS</u>
09/21/20	L. Schepp	B190	Compile hot documents for attorney review, per K. Kolb.	0.60
09/22/20	K. Kolb	B190	Revise and revise memorandum summarizing Blackstone subpoena production	0.70
09/22/20	K. Kolb	B190	Further revisions to claims analysis memo	1.70
09/22/20	K. Kolb	B190	Supervise second level review of subpoena response productions	0.20
09/22/20	C. Anderson	B190	Review and anaylze Blackstone Document Production for further relevant documents	1.20
09/22/20	C. Anderson	B190	Revise Blackstone document production memo for further detail and draft related emails	0.80
09/22/20	C. Anderson	B190	Draft emails re: Deloitte causes of action research	0.10
09/22/20	D. Field	B190	Review documents produced in adversary proceeding	0.20
09/22/20	E. Plowman	B190	Review and analyze docs in adversary proceeding	2.40
09/22/20	S. Stockman	B190	Continue second level review of documents.	0.80
09/23/20	C. Carty	B190	Review and analyze analysis of potential claims and causes of action.	2.80
09/23/20	C. Carty	B190	Confer with K. Kolb re status of document review and attention to issues related to same.	0.80
09/23/20	K. Kolb	B190	Analyze research by and discuss with C. Anderson regarding additional potential claims	0.50
09/23/20	K. Kolb	B190	Discuss discovery status with C. Carty	0.30
09/23/20	C. Anderson	B190	Review existing Deloitte engagement letters	0.20
09/23/20	C. Anderson	B190	Confer with K. Kolb re: Deloitte causes of action memo/research	0.20
09/23/20	D. Field	B190	Review documents produced in adversary proceeding	2.60
09/23/20	E. Plowman	B190	Review and analyze docs in adversary proceeding	1.60
09/24/20	C. Carty	B190	Call with R. Tizravesh re document review.	0.40
09/24/20	C. Carty	B190	Review and analyze documents produced in connection with third party subpoenas.	5.30
09/24/20	K. Kolb	B190	Analyze documents in connection with supervising second level review	0.30
09/24/20	D. Field	B190	Review documents produced in adversary proceeding	5.00
09/24/20	G. Fromer	B190	Conduct second level review of documents related to pre-Seritage transactions	0.70
09/25/20	C. Carty	B190	Review and analyze analysis of potential claims and causes of action.	2.50
09/25/20	C. Carty	B190	Review and analyze documents produced in connection with third party subpoenas.	1.20
09/25/20	D. Field	B190	Review documents produced in adversary proceeding	2.10
09/25/20	G. Fromer	B190	Conduct second level review of documents relating to pre-Seritage Spinoff transactions	2.20



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<u>DATE</u>	<u>NAME</u>	<u>TASK CODE</u>	<u>NARRATIVE</u>	<u>HOURS</u>
09/25/20	E. Plowman	B190	Review and analyze docs in adversary proceeding	2.10
09/27/20	D. Field	B190	Review documents produced in adversary proceeding	3.00
09/28/20	K. Kolb	B190	Analyze documents identified as hot during Deloitte review	0.10
09/28/20	D. Field	B190	Review documents produced in adversary proceeding	1.80
09/29/20	C. Carty	B190	Confer with K. Kolb and H. Zimmer re third party discovery and attention to issues re same.	1.20
09/29/20	C. Carty	B190	Review and analyze mini-chron for deposition prep purposes.	0.70
09/29/20	K. Kolb	B190	Supervise second level review	0.60
09/29/20	K. Kolb	B190	Discuss pending discovery items and review process with C. Carty and H. Zimmer	0.40
09/29/20	K. Kolb	B190	Revise summary memo and transmit to Akin regarding third party document production	0.30
09/29/20	D. Field	B190	Review documents produced in adversary proceeding	1.60
09/29/20	E. Plowman	B190	Review and analyze docs in adversary proceeding	6.30
09/29/20	R. Quigley	B190	Review documents in production	8.70
09/29/20	H. Zimmer	B190	Confer with KK and CC concerning third party discovery and review of documents produced in adversary proceeding	0.40
09/29/20	H. Zimmer	B190	Confer with KK and CC concerning discovery and case status	0.10
09/29/20	H. Zimmer	B190	Confer with Deloitte concerning subpoena and privilege log	0.10
09/29/20	H. Zimmer	B190	Review summary from Elizabeth Plowman concerning review of documents produced in adversary proceeding	0.30
09/29/20	H. Zimmer	B190	Confer with Herrick concerning wachtell subpoena	0.10
09/29/20	H. Zimmer	B190	Confer with CC concerning Aronstam production	0.10
09/30/20	S. O'Donnell	B190	Confer w/ cc re misc. issues and tolling agreement	0.30
09/30/20	K. Kolb	B190	Supervise second level review	0.30
09/30/20	K. Kolb	B190	Analyze and summarize hot documents produced by Wachtell	3.30
09/30/20	K. Kolb	B190	Additional research and analysis of potential claims	2.10
09/30/20	C. Anderson	B190	Draft Deloitte Potential Causes of Action Memorandum	1.50
09/30/20	D. Field	B190	Review documents produced in adversary proceeding	2.20
09/30/20	E. Plowman	B190	Review/analyze docs in adversary proceeding	5.10
09/30/20	R. Quigley	B190	Review documents in productions	10.50
09/30/20	S. Stockman	B190	Continue second level review of documents.	3.80
09/30/20	H. Zimmer	B190	Attend expert conference	1.10
09/30/20	H. Zimmer	B190	Confer with Akin concerning documents produced in	0.10



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<u>DATE</u>	<u>NAME</u>	<u>TASK CODE</u>	<u>NARRATIVE</u>	<u> HOURS</u>
			adversary proceeding and experts	
09/30/20	H. Zimmer	B190	Review email from Deloitte in connection with privilege log	0.20
09/30/20	H. Zimmer	B190	Review hot documents on relativity and draft summary, confer with KK on same, and confer with H5 concerning review	1.00
			<b>TOTAL</b>	<b>\$327,393.50</b>

#### LEGAL SERVICES SUMMARY

<u>Timekeeper</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
C. Anderson	35.10	415.00	14,566.50
M. Calb	28.40	540.00	15,336.00
C. Carty	112.20	785.00	88,077.00
J. D'Angelo	2.60	845.00	2,197.00
D. Field	18.60	435.00	8,091.00
G. Fromer	15.10	420.00	6,342.00
K. Kolb	87.60	610.00	53,436.00
S. O'Donnell	37.80	1,025.00	38,745.00
E. Plowman	77.40	420.00	32,508.00
R. Quigley	42.00	420.00	17,640.00
L. Schepp	30.50	335.00	10,217.50
S. Stockman	6.90	435.00	3,001.50
H. Zimmer	85.60	435.00	37,236.00
<b>TOTAL</b>	<b>579.80</b>		<b>\$327,393.50</b>

#### MANAGING ATTORNEY'S OFFICE

Court Admissions/Renewals/Registration	164.00
Research/Retrieval - including calls to courts	123.00
<b>TOTAL</b>	<b>\$287.00</b>

**TOTAL LEGAL SERVICES** **\$327,680.50**

#### DISBURSEMENTS:



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	<u>AMOUNT</u>
Document Processing	75.00
Duplication	2,485.36
Online Research	399.40
Postage & Shipping	157.66
<b>TOTAL:</b>	<b>\$3,117.42</b>

**PREVIOUS BILLS OUTSTANDING**

<u>Invoice #</u>	<u>Invoice Date</u>	<u>Original Amount</u>	<u>Less Credits Applied</u>	<u>Balance</u>
354103	04/20/20	291,925.09	233,580.69	58,344.40
355208	05/28/20	390,062.88	312,050.88	78,012.00
356200	06/30/20	189,860.63	0.00	189,860.63
356648	07/16/20	154,837.24	0.00	154,837.24
358158	08/24/20	114,394.47	0.00	114,394.47
			<b>Total Outstanding</b>	<b>\$595,448.74</b>

**Exhibit D**

**Disbursement Summary**

Duplication	\$3,829.00
E-Discovery Data Hosting	\$215.00
Expert Witness Fees	\$151,330.00
Online Research	\$546.82
Postage & Shipping	\$291.64
Professional Services	\$50.00
Document Processing	\$75.00
<b>Total</b>	<b>\$156,337.46</b>

**Exhibit E**

**Itemized Disbursement**

### 19609.0001 Disbursements Summary

Color Duplicating (036)	\$850.08
Duplicating Supplies (020)	\$122.12
E-Discovery Data Hosting Minimum Charge (115)	\$200.00
E-Discovery Data Hosting per Gig Charge (116)	\$15.00
Expert Witness Fees (026)	\$151,330.00
Online research - West (075)	\$147.42
Printing - blowback (089)	\$343.44
Printing (080)	\$0.00
Process Servers (023)	\$50.00
Shipping (013)	\$133.98
Velobind/binding (038)	\$28.00

### Disbursement Detail

Date ▲	Disb Code	Bill Disb Code	Bil...	Bill Amount	Actual Timekeeper
9/1/2020	Color Duplicating (036)	Color Duplicating (036)	1..	\$261.36	Bowes, Pitney (0029)
9/1/2020	Color Duplicating (036)	Color Duplicating (036)	3..	\$82.72	Bowes, Pitney (0029)
9/1/2020	Color Duplicating (036)	Color Duplicating (036)	1..	\$261.36	Bowes, Pitney (0029)
9/1/2020	Color Duplicating (036)	Color Duplicating (036)	3..	\$82.72	Bowes, Pitney (0029)
9/2/2020	Color Duplicating (036)	Color Duplicating (036)	3..	\$80.96	Bowes, Pitney (0029)
9/2/2020	Color Duplicating (036)	Color Duplicating (036)	3..	\$80.96	Bowes, Pitney (0029)

Date ▲	Disb Code	Bill Disb Code	Bil...	Bill Amount
9/1/2020	Duplicating Supplies (020)	Duplicating Supplies (020)	1	\$3.82
9/1/2020	Duplicating Supplies (020)	Duplicating Supplies (020)	1..	\$14.04
9/1/2020	Duplicating Supplies (020)	Duplicating Supplies (020)	3..	\$38.52
9/1/2020	Duplicating Supplies (020)	Duplicating Supplies (020)	1	\$3.82
9/1/2020	Duplicating Supplies (020)	Duplicating Supplies (020)	1..	\$14.04
9/1/2020	Duplicating Supplies (020)	Duplicating Supplies (020)	3..	\$38.52
9/2/2020	Duplicating Supplies (020)	Duplicating Supplies (020)	39	\$4.68
9/2/2020	Duplicating Supplies (020)	Duplicating Supplies (020)	39	\$4.68

Date ▲	Disb Code	Bill Disb Code	Bil...	Bill Amount
8/31/2020	E-Discovery Data Hosting Minimum Charge (115)	E-Discovery Data Hosting Minimum Charge (115)	1	\$100.00
9/30/2020	E-Discovery Data Hosting Minimum Charge (115)	E-Discovery Data Hosting Minimum Charge (115)	1	\$100.00

Date ▲	Disb Code	Bill Disb Code	Bil...	Bill Amount
9/30/2020	E-Discovery Data Hosting per Gig Charge (116)	E-Discovery Data Hosting per Gig Charge (116)	1	\$15.00

Date ▲	Disb Code	Bill Disb Code	Bil...	Bill Amount	Actual Timekeeper	Narrative
9/1/2020	Expert Witness Fees (026)	Expert Witness Fees (026)	-	\$44,897.50	O'Donnell, Sean E. (1279)	Vendor: Capital Market Risk Advisors; Invoice#: 2020-00264; Date: 9/1/2020
10/1/2020	Expert Witness Fees (026)	Expert Witness Fees (026)	-	\$106,432.50	O'Donnell, Sean E. (1279)	Vendor: Capital Market Risk Advisors; Invoice#: 2020-00267; Date: 10/1/2020

Date ▲	Disb Code	Bill Disb Code	Bil...	Bill Amount	Actual Timekeeper	Narrative
7/7/2020	Online research - West (075)	Online research - West (075)	1	\$21.06	Fromer, Gabrielle (1324)	West Invoice #842751040 Usage Charges of: 7/1/20 Requested by: FROMER,GABRIELLE Transactions: 4 Ac...
7/29/2020	Online research - West (075)	Online research - West (075)	1	\$126.36	Plowman, Elizabeth (1328)	West Invoice #842751040 Usage Charges of: 7/1/20 Requested by: PLOWMAN,ELIZA... Transactions : 21 A...

Date ▲	Disb Code	Bill Disb Code	Bil...	Bill Amount	A
9/11/2020	Printing - blowback (089)	Printing - blowback (089)	1..	\$343.44	B (C

Date ▲	Disb Code	Bill Disb Code	Bil...	Bill Amount	Actual Timekeeper	Narrative
7/1/2020	Process Servers (023)	Process Servers (023)	-	\$50.00	John, Laini (1005)	Process server.

Date ▲	Disb Code	Bill Amount	Narrative	Bill Disb Code	Actual Timekeeper
9/7/2020	Shipping (013)	\$23.60	Vendor: Federal Express; Invoice#: 711475989; Date: 9/7/2020	Shipping (013)	Kolb, Kyle (1326)
9/7/2020	Shipping (013)	\$23.60	Vendor: Federal Express; Invoice#: 711475989; Date: 9/7/2020	Shipping (013)	Kolb, Kyle (1326)
9/7/2020	Shipping (013)	\$23.60	Vendor: Federal Express; Invoice#: 711475989; Date: 9/7/2020	Shipping (013)	Kolb, Kyle (1326)
9/21/2020	Shipping (013)	\$21.06	Vendor: Federal Express; Invoice#: 712874972; Date: 9/21/2020	Shipping (013)	Kolb, Kyle (1326)
9/21/2020	Shipping (013)	\$21.06	Vendor: Federal Express; Invoice#: 712874972; Date: 9/21/2020	Shipping (013)	Kolb, Kyle (1326)
9/21/2020	Shipping (013)	\$21.06	Vendor: Federal Express; Invoice#: 712874972; Date: 9/21/2020	Shipping (013)	Kolb, Kyle (1326)

Cost for 19609.0002

Color Duplicating (036)	\$55.66
Document Processing (105)	\$75.00
Duplicating Supplies (020)	\$80.04
Online research - West (075)	\$399.40
Printing - blowback (089)	\$2,283.66
Shipping (013)	\$157.66
Velobind/binding (038)	\$66.00

Date ▲	Disb Code	Bill Amount
8/5/2020	Color Duplicating (036)	\$31.68
8/24/2020	Color Duplicating (036)	\$23.98

Date ▲	Disb Code	Bill Amount	Narrative
10/2/2020	Document Processing (105)	\$75.00	Vendor: Williams Lea Inc.; Invoice#: SEPT2020; Date: 10/2/2020

Date ▲	Disb Code	Bill Amount	Narrative
8/5/2020	Duplicating Supplies (020)	\$72.72	Duplicating Supplies
8/24/2020	Duplicating Supplies (020)	\$1.32	Duplicating Supplies
8/25/2020	Duplicating Supplies (020)	\$6.00	Duplicating Supplies

Date ▲	Disb Code	Bill Amount	Narrative	Bill Disb Code
7/16/2020	Online research - West (075)	\$42.12	West Invoice #842751040 Usage Charges of: 7/1/2 0 Requested by: ZIMMER,HEATHER Transactions: 1 5 A...	Online research - West (075)
7/17/2020	Online research - West (075)	\$74.96	West Invoice #842751040 Usage Charges of: 7/1/2 0 Requested by: ZIMMER,HEATHER Transactions: 2 2 A...	Online research - West (075)
9/1/2020	Online research - West (075)	\$41.32	Vendor: West Group - GSI Payment Center-Westlaw; Invoice#: 842922965; Date: 9/1/2020	Online research - West (075)
9/1/2020	Online research - West (075)	\$49.54	Vendor: West Group - GSI Payment Center-Westlaw; Invoice#: 842922965; Date: 9/1/2020	Online research - West (075)
9/1/2020	Online research - West (075)	\$82.06	Vendor: West Group - GSI Payment Center-Westlaw; Invoice#: 842922965; Date: 9/1/2020	Online research - West (075)
9/1/2020	Online research - West (075)	\$27.35	Vendor: West Group - GSI Payment Center-Westlaw; Invoice#: 842922965; Date: 9/1/2020	Online research - West (075)

9/1/2020	Online research - West (075)	\$27.35	Vendor: West Group - GSI Payment Center-Westlaw; Invoice#: 842922965; Date: 9/1/2020	Onli
9/1/2020	Online research - West (075)	\$27.35	Vendor: West Group - GSI Payment Center-Westlaw; Invoice#: 842922965; Date: 9/1/2020	Onli
9/1/2020	Online research - West (075)	\$27.35	Vendor: West Group - GSI Payment Center-Westlaw; Invoice#: 842922965; Date: 9/1/2020	Onli

Date ▲	Disb Code	Bill Amount	Narrative
8/5/2020	Printing - blowback (089)	\$2,075.76	Printing - Blowback
8/24/2020	Printing - blowback (089)	\$126.18	Printing - Blowback
8/25/2020	Printing - blowback (089)	\$81.72	Printing - Blowback

8/5/2020	Shipping (013)	\$31.92	Invoice No: 708923794 Paid to: Fedex per Linda Schepp Ship To: Sean O Donnell Ship Dt: 08/05/20...
8/5/2020	Shipping (013)	\$31.92	Invoice No: 708923794 Paid to: Fedex per Linda Schepp Ship To: Chris Carty Ship Dt: 08/05/20 Airbill: 3...
8/5/2020	Shipping (013)	\$30.95	Invoice No: 708923794 Paid to: Fedex per Linda Schepp Ship To: Heather Zimmer Ship Dt: 08/05/20...
8/5/2020	Shipping (013)	\$31.92	Invoice No: 708923794 Paid to: Fedex per Linda Schepp Ship To: Liz Plowman Ship Dt: 08/05/20 Airbill: 3...
8/5/2020	Shipping (013)	\$30.95	Invoice No: 708923794 Paid to: Fedex per Linda Schepp Ship To: Jason D Angelo Ship Dt: 08/05/20...

Date ▲	Disb Code	Bill Amount	Narr:
8/5/2020	Velobind/binding (038)	\$60.00	Velo
8/24/2020	Velobind/binding (038)	\$2.00	Velo
8/25/2020	Velobind/binding (038)	\$4.00	Velo



Invoice ID: 2020-00264  
Account number: 26  
Project Id: 26  
Invoice date: September 1, 2020

Capital Market Risk Advisors  
4851 Tamiami Trail North  
Suite 243  
Naples, FL 34103  
Attn: Accounting

Kyle Kolb

Herrick Feinstein LLP  
2 Park Avenue  
New York, NY 10016

Invoice Total			\$44,897.50
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**See attached spreadsheet for invoice specification.**

NAME	AVERAGE RATE	TOTAL HOURS	TOTAL AMOUNT
Nie	325.00	41.3	13,422.50
Niculescu	1,250.00	19.2	24,000.00
Iacono	1,150.00	6.5	7,475.00
<b>Grand Total</b>	<b>\$796.11</b>	<b>67.0</b>	<b>\$44,897.50</b>

Please note the total unpaid balance to date is \$107,735.00

Please remit payment with the statement number to Capital Market Risk Advisors at the address listed above or via wire. Contact [QBTTeam@advancedprofessional.net](mailto:QBTTeam@advancedprofessional.net) for wire instructions.



Invoice ID: 2020-00267

Account number: 26

Project Id: 26

Invoice date: October 1, 2020

Capital Market Risk Advisors  
4851 Tamiami Trail North  
Suite 243  
Naples, FL 34103  
Attn: Accounting

Kyle Kolb

Herrick Feinstein LLP  
2 Park Avenue  
New York, NY 10016

Invoice Total			\$106,432.50
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**See attached spreadsheet for invoice specification.**

NAME	AVERAGE RATE	TOTAL HOURS	TOTAL AMOUNT
Nie	325.00	87.1	28,307.50
Niculescu	1,250.00	37.1	46,375.00
Iacono	1,150.00	17.8	20,470.00
Rubin	800.00	14.1	11,280.00
<b>Grand Total</b>	<b>\$818.96</b>	<b>156.1</b>	<b>\$106,432.50</b>

Please note the total unpaid balance to date is \$214,167.50

Please remit payment with the statement number to Capital Market Risk Advisors at the address listed above or via wire. Contact [QBTTeam@advancedprofessional.net](mailto:QBTTeam@advancedprofessional.net) for wire instructions.